

Volume 3

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2003 2004 Regular Session



HON. CRUZ M. BUSTAMANTE
President of the Senate

HON. JOHN L. BURTON
President pro Tempore

HON. GREGORY P. SCHMIDT
Secretary of the Senate

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Volume 3

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2003 2004 Regular Session

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CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED EIGHTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, April 15, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock,
McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Sher,
Soto, Speier, and Torlakson—34.

Quorum present.

(NOTE: Senator Oller will be excused this day on legislative business, Senator Scott will be excused this day on personal business, Senators Margett and Vincent will be excused this day due to family illness, and Senators Knight and Vasconcellos will be excused this day due to illness.)

CONFERENCE COMMITTEE REPORTS RECEIVED

Senate Chamber, April 15, 2004

Mr. President: The Committee on Conference has met concerning:

Senate Bill 899, as amended in Assembly on July 14, 2003, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

RICHARD ALARCÓN	JUAN VARGAS
CHARLES POOCHIGIAN	FABIAN NUÑEZ
JOHN L BURTON	RICK KEENE

Senate Committee on Conference

Assembly Committee on Conference

REPORTS OF STANDING COMMITTEES

Committee on Labor and Industrial Relations

Date of Hearing, April 14, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

SB 1439 AB 1127

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.

ALARCÓN, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Insurance

Senate Chamber, April 15, 2004

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

AB 1297 AB 1596 AB 1728

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

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1297—An act to amend Sections 1623, 1625, 1662, and 1732 of, and to add Section 1704.1 to, the Insurance Code, relating to insurance.

Bill read second time.

Assembly Bill 1596—An act to amend Section 1363.07 of the Health and Safety Code, and to amend Section 10113.8 of the Insurance Code, relating to health care coverage.

Bill read second time.

Assembly Bill 1728—An act to amend Section 10236.12 of the Insurance Code, relating to insurance.

Bill read second time.

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

Committee on Labor and Industrial Relations

Date of Hearing, April 14, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

SB 1453 SB 1499 SB 1687 AB 701

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

ALARCÓN, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Rules

State Capitol, April 14, 2004

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 3-0, has re-referred SB 1051 (Local Government Committee) to the Senate Committee on Health and Human Services.

BURTON, Chair

Committee on Labor and Industrial Relations

Date of Hearing, April 14, 2004

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

SB 1521

Reports the same back with the recommendation: Do pass.

ALARCÓN, Chair

Above bill ordered to second reading.

Date of Hearing, April 14, 2004

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

SB 1903

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

ALARCÓN, Chair

Above measure ordered to second reading.

Date of Hearing, April 14, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

SB 1134 SB 1618

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.

ALARCÓN, Chair

Above measures ordered to second reading.

Committee on Rules

State Capitol, April 14, 2004

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:

Loris "Ryan" Broddrick, Director, Department of Fish and Game (3-0)

Lester A. Snow, Director, Department of Water Resources (3-0)

John C. Duncan, Member, Public Employment Relations Board (3-0)

BURTON, Chair

Above appointments ordered placed on unfinished business file.

Committee on Environmental Quality

Date of Hearing, April 12, 2004

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

SB 1397

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

SHER, Chair

Above measure ordered to second reading.

Date of Hearing, April 12, 2004

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

SB 1446

SB 1479

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

SHER, Chair

Above measures ordered to second reading.

Committee on Public Safety

Senate Chamber, April 15, 2004

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

SB 1140

SB 1330

SB 1361

SB 1796

SB 1797

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

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1140—An act to amend Sections 12021, 12035, 12036, 12071, and 12078 of the Penal Code, relating to firearms.

Bill read second time.

Senate Bill 1330—An act to amend Sections 629.51, 629.88, 632.5, 632.6, and 632.7 of, and to add Section 629.905 to, the Penal Code, relating to invasions of privacy.

Bill read second time.

Senate Bill 1361—An act to add Section 14107.6 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Senate Bill 1796—An act to amend Section 912 of the Evidence Code, to amend Section 3304 of the Government Code, to amend Sections 266h, 266i, 629.61, 1203.4a and 1405 of the Penal Code, and to amend Section 15763 of the Welfare and Institutions Code, relating to public safety.

Bill read second time.

Senate Bill 1797—An act to amend Sections 832.15, 832.16, 11108.3, 12010, 12011, 12021, and 12082 of, and to repeal Section 12076.5 of, the Penal Code, relating to firearms.

Bill read second time.

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

Committee on Health and Human Services

Date of Hearing, April 14, 2004

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

SB 1623 SB 1662 SB 1745

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, April 14, 2004

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

SB 1612 SB 1681 SB 1838

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.

Date of Hearing, April 14, 2004

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

SB 1425 SB 1895

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

ORTIZ, Chair

Above measures re-referred to the Committee on Rules.

Date of Hearing, April 14, 2004

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

SB 1433

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

ORTIZ, Chair

Above measure re-referred to the Committee on Revenue and Taxation.

Date of Hearing, April 14, 2004

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

SB 1819

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

ORTIZ, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Elections and Reapportionment

Senate Chamber, April 15, 2004

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

SB 1577

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

Senate Bill 1577—An act to amend Sections 17 and 2124 of the Elections Code, relating to voting.

Bill read second time.

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

Committee on Natural Resources and Wildlife

Date of Hearing, April 13, 2004

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

SB 1856

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

KUEHL, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 13, 2004

Mr. President: The Committee on Public Safety, to which was referred:
SB 1273

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

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, April 15, 2004

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

SB 1509

SB 1645

SB 1680

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

Senate Bill 1509—An act to repeal Section 16770 of the Business and Professions Code, to amend Section 12583 of the Government Code, to repeal Section 1342.6 of the Health and Safety Code, and to repeal Section 10133.6 of the Insurance Code, relating to health facilities.

Bill read second time.

Senate Bill 1645—An act to amend Sections 54028, 54030, and 54031 of, to repeal and add Section 54026 of, and to repeal Sections 54022, 54023, 54024, 54025, 54027, and 54033 of, the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Senate Bill 1680—An act to amend Sections 10136, 10138, 10139, 10139.1, and 10139.5 of the Insurance Code, relating to insurance.

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, April 15, 2004

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

SB 1424

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

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1424—An act to amend Sections 6561, 6561.5, 6563, 6565, 12428, 12430, 12431, 19045, 19046, 19047, 19048, 19050, 19301, 19324, 19331, 19332, 19333, 19334, 19335, 19343, 19344, 19345, 19346, 19347, 19350, 19381, 19382, and 19384 of, to add Part 12 (commencing with Section 25150) to Division 2 of, and to repeal Sections 6562, 6564, and 12429 of, the Revenue and Taxation Code, relating to governmental organization.

Bill read second time.

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

Date of Hearing, April 14, 2004

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

SB 1831

SB 1877

SB 1879

SB 1881

SB 1882

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.

CEDILLO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 14, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

SB 1147

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

CEDILLO, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 14, 2004

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

SB 1832

SB 1880

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

CEDILLO, Chair

Above measures ordered to second reading.

Committee on Health and Human Services

Senate Chamber, April 15, 2004

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

SB 1639

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

Senate Bill 1639—An act to amend Sections 79202 and 79203 of, and to add Section 69519 to, the Education Code, and to amend Sections 11320.1, 11325.2, 11325.22, 11325.4, and 11454 of, and to add Sections 11325.41 and 11329.5 to, the Welfare and Institutions Code, relating to CalWORKs, 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 Local Government

Senate Chamber, April 15, 2004

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

SB 1266

SB 1404

SB 1820

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1266—An act to amend Section 56375 of the Government Code, relating to annexation.

Bill read second time.

Senate Bill 1404—An act to add Part 2 (commencing with Section 35000) to Division 2 of Title 4 of the Government Code, relating to multifamily improvement districts.

Bill read second time.

Senate Bill 1820—An act to amend Sections 51203, 51243.6, 56738, and 56754 of, and to amend, repeal, and add Section 51243.5 of, the Government Code, relating to land conservation.

Bill read second time.

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

Committee on Energy, Utilities and Communications

Senate Chamber, April 15, 2004

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

SB 1528

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

Senate Bill 1528—An act to amend Section 1802 of, and to add Sections 1801.5 and 1805 to the Public Utilities Code, relating to the Public Utilities Commission.

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, April 15, 2004

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

SB 1168

SB 1477

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

SHER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1168—An act to add Chapter 8 (commencing with Section 105440) to Part 5 of Division 103 of the Health and Safety Code, relating to public health, and making an appropriation therefor.

Bill read second time.

Senate Bill 1477—An act to amend Sections 13050 and 13260 of, to add Section 13275 to, and to add Chapter 18 (commencing with Section 14150) to Division 7 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 Business and Professions

Senate Chamber, April 15, 2004

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

SB 1546

SB 1688

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

Senate Bill 1546—An act to amend Sections 1601.1, 1616.5, 1742, 1767, and 1775 of, to amend and repeal Sections 1753.5, 1754, 1756, 1757, and 1760 of, to amend, repeal, and add Sections 1741, 1750, 1751, 1752, 1753, 1765, and 1770 of, and to add Sections 1750.1, 1750.2, 1753.1, 1776, and 1777 to, the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

Bill read second time.

Senate Bill 1688—An act to add Section 2917 to the Business and Professions Code, relating to healing arts.

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, April 15, 2004

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

SB 1448

SB 1517

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

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1448—An act to amend Sections 60601 and 60644 of the Education Code, relating to pupil assessment.

Bill read second time.

Senate Bill 1517—An act to amend Sections 51430, 51440, and 51442 of, to amend the heading of Article 3.5 (commencing with Section 51430) of, and to repeal the heading of Article 4 of, Chapter 3 of Part 28 of, and to repeal Section 51441 of, the Education Code, relating to public schools.

Bill read second time.

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

Committee on Health and Human Services

Senate Chamber, April 15, 2004

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

SB 1275

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

Senate Bill 1275—An act to add Sections 1264 and 1264.5 to the Health and Safety Code, relating to health facilities.

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, April 12, 2004

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

SB 1742

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

SHER, Chair

Above measure ordered to second reading.

Senate Chamber, April 15, 2004

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

SB 1887

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

SHER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1887—An act to add Article 8 (commencing with Section 25399.14) to Chapter 6.85 of Division 20 of the Health and Safety Code, relating to hazardous waste.

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 MEASURE

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

Senate Concurrent Resolution 76: By Senator Battin—Relative to Motorcycle Awareness Month.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1703** was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Rules;

SB 1193 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

SB 1645 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules.

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

Senate Bill 1143—An act to amend and repeal Sections 15819.90 and 15819.95 of, and to repeal Sections 15819.80, 15819.85, and 15819.92 of, the Government Code, relating to veterans.

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

Senate Bill 1651—An act to repeal Chapter 6 (commencing with Section 1320) of Division 6 of the Military and Veterans Code, relating to veterans.

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

Senate Bill 1408—An act to amend Section 3439.04 of the Civil Code, relating to fraudulent transfers.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1564—An act to amend Section 3440.1 of the Civil Code, relating to fraudulent transfers.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1254—An act to amend Sections 51871, 51872, 51873, and 51874 of the Education Code, relating to education technology.

Bill read second time.

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

Senate Bill 1208—An act to amend Section 44830 of the Education Code, relating to teachers.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Joint Resolution 57—Relative to the 31st anniversary of Roe v. Wade.

Resolution read second time.

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

SENATE COMMITTEE ROLL CALLS**Committee on Revenue and Taxation**

SB 1147—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1831—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1832—Do pass, to Consent Calendar

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1877—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1879—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1880—Do pass, to Consent Calendar

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1881—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1882—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

Date of Hearing: 4/14/04

Cedillo (Chair)

Committee on Health and Human Services

SB 1178—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (1)—Senator Battin.

SB 1425—Do pass and re-refer to Committee on Rules

AYES (7)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (2)—Senators Aanestad and Battin.

SB 1433—Do pass and re-refer to Committee on Revenue and Taxation

AYES (8)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (0)—None.

SB 1585—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (2)—Senators Aanestad and Battin.

SB 1612—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (0)—None.

SB 1623—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Battin, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (1)—Senator Chesbro.

SB 1631—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (0)—None.

SB 1662—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (2)—Senators Aanestad and Battin.

SB 1681—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (0)—None.

SB 1745—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Aanestad, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (0)—None.

SB 1764—Do pass as amended and re-refer to Committee on Judiciary

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (0)—None.

SB 1765—Do pass as amended

AYES (7)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (2)—Senators Aanestad and Battin.

SB 1819—Do pass and re-refer to Committee on Judiciary

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, and Kuehl.

NOES (0)—None.

SB 1838—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (0)—None.

SB 1845—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (1)—Senator Aanestad.

SB 1895—Do pass and re-refer to Committee on Rules

AYES (8)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Romero.

NOES (0)—None.

Date of Hearing: 4/14/04

Ortiz (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

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

The following Senators were granted leaves of absence for the day due to family illness: Senators Margett and Vincent.

The following Senators were granted leaves of absence for the day due to illness: Senators Knight and Vasconcellos.

REQUEST TO ADJOURN IN MEMORIAM

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of LCpl. Marcus Miguel Cherry, USMC of El Centro.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 10 a.m., Friday, April 16, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED EIGHTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, April 16, 2004

The Senate met at 10 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, Soto, Speier, and Torlakson—36.
Quorum present.

(NOTE: Senator Scott will be excused this day on personal business, Senator Vincent will be excused this day due to a family illness, and Senators Knight and Vasconcellos will be excused this day due to illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

God of Life, There are days when the burdens we carry chafe our shoulders and wear us down; when the road seems studded with potholes, the skies gray and threatening; where the music of our lives seems off key. Lord, gather us up. Flood our path with Your light; turn our hearts to where the skies are clear and filled with promise; be with us, that our persistence will be pleasing in Your eyes.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 16, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

SB 899

E. DOTSON WILSON, Chief Clerk of the Assembly

Senator Romero Presiding**REPORTS OF STANDING COMMITTEES****Committee on Environmental Quality**

Senate Chamber, April 16, 2004

Madam President: The Chair of the Committee on Environmental Quality, to which was referred:

SB 1247

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

SHER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1247—An act to add and repeal Part 4.5 (commencing with Section 42950) of Division 26 of the Health and Safety Code, relating to air pollution.

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, April 16, 2004

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 1842

SB 1857

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

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1842—An act to make an appropriation in augmentation of the Budget Act of 2003, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

Bill read second time.

Senate Bill 1857—An act relating to trade.

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 Wildlife

Senate Chamber, April 16, 2004

Madam President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

SB 1338

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

Senate Bill 1338—An act to add and repeal Section 5012.3 of the Public Resources Code, relating to parks.

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

Date of Hearing, April 14, 2004

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

AB 1643

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

ALARCÓN, Chair

Above measure ordered to second reading.

Committee on Agriculture and Water Resources

Senate Chamber, April 16, 2004

Madam President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

SB 1604

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

Senate Bill 1604—An act to amend Section 6047.63 of the Food and Agricultural Code, relating to pest control, and declaring the 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 Bill 1521—An act to amend Sections 1060, 1061, and 1063 of the Labor Code, relating to employment.

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

Senate Bill 1903—An act to amend Section 1262 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

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.

Senate Bill 1134—An act to amend Section 1393.5 of 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.

Senate Bill 1618—An act to amend Section 226 of the Labor Code, relating to employee compensation.

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.

Senate Bill 1397—An act to add Article 4.5 (commencing with Section 40459.5) to Chapter 5.5 of Part 3 of the Health and Safety Code, relating to air pollution.

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 Transportation.

Senate Bill 1446—An act to add Section 104324.27 to the Health and Safety Code, relating to environmental health.

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.

Senate Bill 1479—An act to amend Section 13201 of the Water Code, relating to water quality.

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.

Senate Bill 1856—An act to amend Sections 39011 and 42311.2 of the Health and Safety Code, and to amend Sections 4464 and 4475 of the Public Resources Code, relating to resources.

Bill read second time.

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

Senate Bill 1273—An act to amend Section 782 of the Insurance Code, relating to insurance.

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.

Senate Bill 1832—An act to amend Section 1812.601 of the Civil Code, and to amend Sections 72, 327.1, 2503.1, 2503.2, 2504, 3451, 3456, 3693, 3693.1, 3695, 3701, 3702, 3704, 3704.7, 3707, 3710, and 3716 of, to add Sections 3692.1, 3692.2, and 3692.3 to, and to repeal Sections 3450, 3453, 3454, 3457, and 3717.5 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1880—An act to amend Section 24002.5 of the Government Code, and to repeal Sections 218.1 and 5180 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1742—An act to amend Sections 8574.1, 8574.7, 8574.8, 8574.10, 8670.3, 8670.5, 8670.7, 8670.8, 8670.8.5, 8670.9, 8670.10, 8670.13, 8670.13.2, 8670.14, 8670.18, 8670.19, 8670.21, 8670.23, 8670.23.1, 8670.24, 8670.25.5, 8670.26, 8670.27, 8670.28, 8670.29, 8670.31, 8670.35, 8670.36.1, 8670.37.5, 8670.41, 8670.48, 8670.50, 8670.56.6, 8670.56.5, 8670.61.5, and 8670.70 of, to add Section 8670.73

to, and to repeal Sections 8670.36.5 and 8670.52 of, the Government Code, to amend Sections 449.3 and 449.5 of the Harbors and Navigation Code, to amend Section 8750 of the Public Resources Code, to amend Sections 46016 and 46027 of the Revenue and Taxation Code, and to amend Section 13272 of the Water Code, relating to oil spills.

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 Natural Resources and Wildlife.

TRIBUTE TO JIM RICHARDSON

Senator Brulte and the Senate paid tribute to Jim Richardson, who is leaving after 15 years of service.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SCR 75** was withdrawn from committee and placed on this day's Special Consent Calendar.

REQUESTS TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Alarcón:

Senate Chamber, April 15, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(5) in order that SB 1538, SB 1809, SB 1861, and SB 1901 may be reported by the Committee on Labor and Industrial Relations after the deadline.

SENATOR ALARCÓN

The following request was presented by Senator Speier:

Senate Chamber, April 15, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(5) in order that SB 1500 may be reported by the Committee on Insurance after the deadline.

SENATOR SPEIER

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rule 61(b)(5) be dispensed with as requested.

Resolution read and presented by Senator Johnson.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl,

Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

**CONSIDERATION OF DAILY FILE (RESUMED)
CONFERENCE COMMITTEE REPORT**

Senate Bill 899—An act to amend Sections 62.5, 139.2, 139.48, 2699, 3201.5, 3201.7, 3201.9, 3202.5, 3207, 3823, 4060, 4061, 4062, 4062.1, 4062.5, 4600, 4603.2, 4604.5, 4650, 4656, 4658, 4660, 4706.5, 4903.05, 5402, 5703, and 6401.7 of, to amend, repeal, and add Section 5814 of, to add Sections 138.65, 4062.3, 4062.8, 4658.1, 4664, and 5814.6 to, to add Article 2.3 (commencing with Section 4616) to Chapter 2 of Part 2 of Division 4 of, to repeal Sections 4062.01, 4062.9, 4750, and 4750.5 of, to repeal and add Sections 4062.2 and 4663 of, and to repeal, add, and repeal Section 139.5 of, the Labor Code, relating to workers' compensation, and declaring the urgency thereof, to take effect immediately.

The report of the Committee on Conference was presented by Senator Poochigian.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, Soto, Speier, and Torlakson.

NOES (3)—Senators Alarcón, Dunn, and Escutia.

Roll Call

The roll was called and the Conference report was adopted by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, Soto, Speier, and Torlakson.

NOES (3)—Senators Alarcón, Dunn, and Escutia.

Above measure order enrolled

CONSENT CALENDAR

Senate Bill 1364—An act to amend Sections 4521, 4535, and 4547 of the Welfare and Institutions Code, relating to developmental services.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1493—An act to amend Section 116025 of the Health and Safety Code, relating to swimming pools.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1172—An act to amend Section 17951 of the Revenue and Taxation Code, relating to taxation.

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

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 75—Relative to Love Your Neighborhood Week.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 74—Relative to California Fitness Month.

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

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 678—An act to amend Sections 101315 and 101317 of, and to repeal Article 6 (commencing with Section 101315) of Chapter 3 of Part 3 of Division 101 of, the Health and Safety Code, relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Ortiz.

The question being: Shall the Senate concur in the Assembly amendments to SB 678?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado,

Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, and Torlakson.

NOES (0)—None.

Roll Call

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

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, and Torlakson.

NOES (0)—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 691—An act to add Chapter 1.6 (commencing with Section 120392) to Part 2 of Division 105 of the Health and Safety Code, relating to immunizations.

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 (25)—Senators Aanestad, Ackerman, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Romero, Sher, and Torlakson.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE FOR THE DAY

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

The following Senator was granted leave of absence for the day due to a family illness: Senator Vincent.

The following Senators were granted leaves of absence for the day due to illness: Senators Knight and Vasconcellos.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 12:04 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to

conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, April 19, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 16, 2004

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

SCR 54 SCR 55

Above resolutions ordered enrolled.

Assembly Chamber, April 16, 2004

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

AB 1820 AB 1979 AB 1987 AB 2049
AB 2069 AB 2126 AB 2490 AB 2674

Assembly Chamber, April 16, 2004

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

ACR 151

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 1820—An act to add and repeal Section 37700.1 of the Education Code, relating to schooldays.

Assembly Bill 1979—An act to amend Section 1916.5 of the Civil Code, relating to lending.

Assembly Bill 1987—An act to amend Sections 52314 and 52326 of the Education Code, relating to regional occupational programs.

Assembly Bill 2049—An act to add Article 4.5 (commencing with Section 123620) to Chapter 2 of Part 2 of Division 106 of the Health and Safety Code, relating to maternal and child health.

Assembly Bill 2069—An act to repeal Article 6 (commencing with Section 10237) of Chapter 3 of Part 1 of Division 4 of the Business and Professions Code, relating to real estate.

Assembly Bill 2126—An act to amend Section 11112.4 of the Penal Code, relating to crime prevention.

Assembly Bill 2490—An act to amend Section 1764.1 of the Insurance Code, relating to surplus line brokers.

Assembly Bill 2674—An act to amend Section 8700 of the Family Code, relating to adoption.

Assembly Concurrent Resolution 151—Relative to George M. Clark Memorial Bicycle Bridge.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on April 19:

SB 1707 SB 1143 SB 1651
AB 347 AJR 36

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, April 16, 2004

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

Agriculture and Water Resources—SB 1425.

Education—SB 1193, SB 1454, SB 1645, SB 1795, SB 1895.

Environmental Quality—SB 1703.

Health and Human Services—SB 1792.

Insurance—SB 1509.

Senate Chamber, April 16, 2004

Madam President: The Chair of the Committee on Rules, to which were referred:

SB 1377 SB 1828

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

BURTON, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 1377—An act relating to education finance.

Bill read second time.

Senate Bill 1828—An act relating to business.

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, April 16, 2004

Madam President: The Chair of the Committee on Revenue and Taxation, to which was referred:

SB 1559

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

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1559—An act to amend Sections 6066 and 6226 of the Revenue and Taxation Code, relating to taxation.

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, April 16, 2004

Madam President: The Committee on Rules has examined:

SB 899

And reports that the same has been correctly enrolled, and presented to the Governor on the 16th day of April, 2004, at 12:30 p.m.

BURTON, Chair

Committee on Judiciary

Date of Hearing, April 13, 2004

Madam President: The Committee on Judiciary, to which was referred:
SB 1746

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.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Date of Hearing, April 13, 2004

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

AB 1489

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

VINCENT, Chair

Above measure ordered to second reading.

Senate Chamber, April 16, 2004

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

SB 1524

SB 1755

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

VINCENT, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 1524—An act to repeal Section 19858 of the Business and Professions Code, relating to gambling.

Bill read second time.

Senate Bill 1755—An act to add Section 11011.27 to the Government Code, relating to state property.

Bill read second time.

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

Committee on Elections and Reapportionment

Senate Chamber, April 16, 2004

Madam President: The Chair of the Committee on Elections and Reapportionment, to which were referred:

SB 1351 SB 1449

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

Senate Bill 1351—An act to add Section 87406.3 to the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

Senate Bill 1449—An act to amend Section 85307 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 13, 2004

Madam President: The Committee on Judiciary, to which were referred:

SB 1533 SB 1760

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

ESCUTIA, Chair

Above measures ordered to second reading.

Senate Chamber, April 16, 2004

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

SB 1279 SB 1357 SB 1475
SB 1568 SB 1801

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

Senate Bill 1279—An act to amend Sections 1785.11.4, 1785.11.6, and 1785.15 of, to add Sections 1785.11.25 , 1785.15.5, 1798.29.5, and 1798.82.5 to, and to repeal and amend Sections 1798.29 and 1798.82 of, the Civil Code, relating to identity theft.

Bill read second time.

Senate Bill 1357—An act to amend Sections 7810, 8502, and 8616.5 of, and to add Sections 7660.5 and 7907.5 to, the Family Code, and to amend Sections 293 and 827 of, to amend and renumber Section 18965 of, and to add Section 300.3 to, the Welfare and Institutions Code, relating to minors.

Bill read second time.

Senate Bill 1475—An act to add Section 368.5 to the Penal Code, relating to elder and dependent adult abuse prevention.

Bill read second time.

Senate Bill 1568—An act to amend Sections 66604, 66639, 66640, and 66641.5 of, and to add Sections 66612 and 66638.5 to, the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Bill read second time.

Senate Bill 1801—An act to amend Section 6140 of the Business and Professions Code, to amend Section 1010.5 of the Code of Civil Procedure, to amend Sections 11518 and 31255 of the Food and Agricultural Code, to amend Section 1050.5 of the Fish and Game Code, to amend Section 6159 of, and to add Section 6167 to, the Government Code, and to amend Section 2511.1 of the Revenue and Taxation Code, relating to credit cards.

Bill read second time.

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

Committee on Health and Human Services

Date of Hearing, April 14, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

SB 1764

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

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Natural Resources and Wildlife

Date of Hearing, April 13, 2004

Madam President: The Committee on Natural Resources and Wildlife, to which was referred:

SB 1459

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

KUEHL, Chair

Above measure ordered to second reading.

Committee on Education

Senate Chamber, April 16, 2004

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

SB 1432

SB 1795

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

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1432—An act to add Section 87483.3 to the Education Code, relating to community colleges.

Bill read second time.

Senate Bill 1795—An act to amend Section 52336 of the Education Code, relating to career preparation.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 13, 2004

Madam President: The Committee on Judiciary, to which were referred:

SB 1248

SB 1277

SB 1841

AB 782

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

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Health and Human Services

Senate Chamber, April 16, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which were referred:

SB 1275

SB 1539

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

Senate Bill 1275—An act to add Sections 1264 , 1264.5, and 1264.6 to the Health and Safety Code, relating to health facilities.

Bill read second time.

Senate Bill 1539—An act to add Section 1418.05 to the Health and Safety Code, relating to long-term health care facilities.

Bill read second time.

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

Committee on Business and Professions

Date of Hearing, April 12, 2004

Madam President: The Committee on Business and Professions, to which was referred:

SB 1149

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 Public Safety

Date of Hearing, March 23, 2004

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

SB 1314

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

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Banking, Commerce and International Trade

Senate Chamber, April 16, 2004

Madam President: The Chair of the Committee on Banking, Commerce and International Trade, to which was referred:

SB 1665

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

Senate Bill 1665—An act to amend Section 360 of the Financial Code, relating to banks.

Bill read second time.

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

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing SB 1363 to be heard in the Committee on Business and Professions on April 19.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1454** was withdrawn from the Committee on Revenue and Taxation and re-referred to the Committee on Rules; and

SB 1509 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Burton requested that when the Senate adjourns this day it do so in memory of William "Bill" Thomas of San Francisco.

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Victor Schaub of Arcata.

Senator Denham requested that when the Senate adjourns this day it do so in memory of Officer Stephan Gray of Merced.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Norma Bustamante of Indio and Ralph Goff Jr. of Campo.

Senators Ducheny and Battin requested that when the Senate adjourns this day it do so in memory of Lowell O. Weeks of Palm Desert.

Senator Dunn requested that when the Senate adjourns this day it do so in memory of Heather Southerland-Wiles of Butte County.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Laura Keiko Benson of Rolling Hills Estates.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Leroy "Lee" S. Walker of West Hollywood.

Senator Oller requested that when the Senate adjourns this day it do so in memory of Lt. Dave Roberts, first Mayor of Rancho Cordova.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Alice E. Ashton of San Bernardino.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Carl Auer of Hillsborough and Isaac Espinoza of South San Francisco.

ADJOURNMENT

At 3:30 p.m., the President declared the Senate adjourned on call of the President pro Tempore.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED EIGHTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, April 19, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—34.

Quorum present.

(NOTE: Senators Ackerman, Brulte, Florez, and Oller will be excused this day on legislative business, Senator Vincent will be excused this day due to a family illness, and Senator Knight will be excused this day due to illness.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 19, 2004

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

SCR 66

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

Above measure ordered to unfinished business file.

Assembly Chamber, April 19, 2004

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

AB 1883	AB 2346	AB 2669	AB 3078
AB 1925	AB 2408	AB 2936	AB 3081
AB 1948	AB 2416	AB 2466	AB 3082
AB 2091	AB 2523	AB 2470	
AB 2095	AB 2614	AB 2895	

Assembly Chamber, April 19, 2004

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

ACR 169 ACR 191 AJR 69

Assembly Chamber, April 19, 2004

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

AB 691

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 1883—An act to amend Section 15602 of the Probate Code, relating to trusts.

Assembly Bill 1925—An act to amend Section 51938 of the Education Code, relating to instruction.

Assembly Bill 1948—An act to amend Section 740 of the Welfare and Institutions Code, relating to wards.

Assembly Bill 2091—An act to amend Section 8020 of the Elections Code, relating to elections.

Assembly Bill 2095—An act to add Article 5.5 (commencing with Section 6010) to Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code, relating to pest control.

Assembly Bill 2346—An act to add and repeal Article 11.5 (commencing with Section 18825) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2408—An act to amend Sections 7294, 7299.4, and 7299.6 of, and to add Sections 7299.7 and 7299.75 to, the Government Code, relating to bilingual services.

Assembly Bill 2416—An act to amend Section 51700 of the Education Code, relating to courses of instruction.

Assembly Bill 2523—An act to amend Section 11571.1 of the Health and Safety Code, relating to controlled substances.

Assembly Bill 2614—An act to amend Sections 20111.5 and 20112 of the Public Contract Code, relating to public contracts.

Assembly Bill 2669—An act to amend Section 695.221 of the Code of Civil Procedure, and to amend Sections 4009, 4504, and 17402 of the Family Code, relating to child support.

Assembly Bill 2936—An act to amend Section 84606 of the Government Code, relating to the Political Reform Act of 1974.

Assembly Bill 2466—An act to amend Sections 12812.2 and 12812.3 of the Government Code, relating to environmental protection.

Assembly Bill 2470—An act to amend Section 2079.10 of the Civil Code, and to amend Section 375.5 of the Water Code, relating to water.

Assembly Bill 2895—An act to amend Section 836 of the Penal Code, relating to domestic violence.

Assembly Bill 3078—An act to amend Sections 116.410, 411.20, 1005, 2024, and 2034 of the Code of Civil Procedure, relating to procedure.

Assembly Bill 3081—An act to amend Sections 6202, 17083, and 17550.47 of the Business and Professions Code, to amend Section 47 of the Civil Code, to amend Sections 93, 94, 116.310, 116.770, 437c, 485.230, 708.020, 708.030, 1005, 1141.16, 1141.24, 1283.05, 1775.11, 1985.3, 1985.6, 1987.5, 1991.1, and 2093 of, to add Title 4 (commencing with Section 2016.010) to Part 4 of, and to repeal Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of, the Code of Civil Procedure, to amend Sections 45312, 87675, 87679, and 88131 of the Education Code, to amend Sections 915, 1156, 1156.1, and 1560 of the Evidence Code, to amend Sections 3110.5, 3666, and 4331 of the Family Code, to amend Sections 309 and 5934 of the Fish and Game Code, to amend Sections 6276.04, 11045, 11187, 11189, 11511, 12972, 18671, 68092.5, and 68616 of the Government Code, to amend Sections 5710 and 6613 of the Labor Code, to amend Sections 186.11, 1054.6, and 1524 of the Penal Code, to amend Sections 451 and 452 of the Probate Code, to amend Section 20104.4 of the Public Contract Code, to amend Sections 3357 and 3769 of the Public Resources Code, to amend Section 1794 of the Public Utilities Code, to amend Section 25110 of the Revenue and Taxation Code, to amend Section 3050.1 of the Vehicle Code, and to amend Section 1100 of the Water Code, relating to civil discovery.

Assembly Bill 3082—An act to amend Sections 511.3, 853, 2241.5, 2260, 3651, 4052, 4311, 4409, 4980.90, 7026.1, 7028, 12107.1, 13570, 17529.1, 17538.45, 17550.30, 17593, 18824, 18897.73, 22575, and 25503.4 of the Business and Professions Code, to amend Sections 51.10, 56.26, 800.100, 1102.16, 1103, 1542, 1785.30, 1786.24, 1789.21, 1798.83,

1798.85, 1799.1b, 1812.701, 1865, 2945.3, 2982, 2985.8, and 2988.9 of, and to amend and renumber Sections 1747.8 and 1747.9 of, the Civil Code, to amend Sections 715.010, 995.640, 1021.8, 1563, 1822.60, and 2023 of the Code of Civil Procedure, to amend Sections 2207, 13401.5, and 14010 of, and to amend and renumber Section 17655 of, the Corporations Code, to amend Sections 8266.1, 8813, 8825, 17077.45, 17334, 17360, 22852, 22854, 27403, 32265, 42238.41, 44279.2, 44328, 44735, 44830.3, 47634, 48200.7, 49414.5, 49452.6, 52015, 52054, 52055.615, 52055.625, 52055.655, 52128, 60061.8, 60640, 64201, 66271.8, 67359.13, 88033, 89539.2, 94779, 94901, 94944, 94990, and 99235 of the Education Code, to amend Sections 11105, 14310, and 18541 of the Elections Code, to amend Sections 917 and 956.5 of the Evidence Code, to amend Sections 4962 and 17600 of the Family Code, to amend Sections 216.3, 258, 645, 690, 777.5, 867, 1753, 1807, 1908, 3804, 14401, and 50122 of the Financial Code, to amend Sections 206, 1570, 1572, 1613, 7149.2, 7361, 7362, and 12011 of the Fish and Game Code, to amend Sections 6047.4, 6047.82, 27680, 27681, 27686, 27690, 30801, 52489, 65520, 66572, 66663, 74028, 78302, and 78690 of the Food and Agricultural Code, to amend Sections 912.8, 1091.4, 6254, 6254.17, 7072, 8220, 8592.4, 8869.84, 8880.325, 10205.1, 12012.30, 12080.3, 12598, 13995.20, 13995.40, 13995.42, 13995.58, 13995.65, 13995.74, 13997.1, 14055.2, 18215, 19063.1, 19582.1, 19826, 20035.2, 20035.3, 20035.4, 20035.10, 20235, 22013.97, 22825.12, 25358, 29550, 30061, 31520.5, 31755, 31762, 31776.3, 50061, 53088.2, 53895.5, 54222, 63049.4, 65919, 68085.5, 68086, 69927, 71806, 71828, 77202, and 95000 of, and to amend and renumber Sections 6215 and 20035.5 of, the Government Code, to amend Sections 138.6, 444.20, 1255, 1367.04, 1375.7, 1569.30, 1569.70, 1596.816, 1794.04, 11758, 13108.5, 17037.5, 17921.9, 17991, 25117.4.1, 25121.3, 25160.6, 25184.1, 25201.1, 25210.6, 25360.6, 25501, 32111, 33320.8, 33492.40, 39011.5, 39614, 39661, 40500.5, 40724.6, 41514.1, 41855.6, 50517.9, 51615, 53533, 101625, 104558, 106010, 115005, 121010, 127670, 127671, 127760, and 128401 of, to amend the heading of Chapter 8 (commencing with Section 127670) of Part 2 of Division 107 of, and to amend and renumber Sections 35987, 35988, 35989, 35990, and 35991 of, the Health and Safety Code, to amend Sections 881, 1063.53, 1067.08, 1104.9, 1280.7, 1776, 1861.025, 10113.2, 10133.56, 10133.8, 10178.4, 10764, 12144, 12671, 12693.55, 12975.7, 12975.8 of, and to amend and renumber Section 10089.45 of, the Insurance Code, to amend Sections 98.2, 141, 143.2, 2140.5, 2160.1, 2190, 2190.2, 2200, 2210, 3099, 3600.1, and 7304 of, and to amend and renumber Section 4610 of, the Labor Code, to amend Sections 186.8, 330b, 330.7, 597b, 597c, 1372, 1463.010, 6245, 11171, 11502, 12021, and 13864 of the Penal Code, to amend Sections 858, 6242, 19403, 20114.5, and 21320 of the Probate Code, to amend Sections 6106.5 and 10295.3 of the Public Contract Code, to amend Sections 2755, 2802, 3305, 3324, 5079.50, 14509.3, 14552.5, 14581, 30610.3, 36725, 40000, 41732, 42330, 42463, 42475.2, 45000, 45010, 50000, and 71210 of, and to amend the headings of Article 1

(commencing with Section 32630), Article 2 (commencing with Section 32633), Article 3 (commencing with Section 32639), Article 4 (commencing with Section 32657), and Article 5 (commencing with Section 32661) of Division 22.9 of, the Public Resources Code, to amend Sections 280.5, 353.2, 372, 374, 377.2, 379.6, 396, 399.12, 1701.3, and 21670.1 of the Public Utilities Code, to amend Sections 97.313, 155.20, 3691.6, 6077, 6361.1, 9405, 17132.6, 18407, 19164, 19179, 19777, 23036, 23736.1, 46622, and 55337 of the Revenue and Taxation Code, to amend Sections 104.7, 3114.5, 5101, 8833, 10100.2, and 31071 of the Streets and Highways Code, to amend Sections 2610, 3305, and 10200 of the Unemployment Insurance Code, to amend Sections 2813.5, 3072, 9250.13, 9400.1, 9400.3, 9951, 11515.2, 12509, 22100, 25803, 31032.1, 34620, and 35401.7 of the Vehicle Code, to amend Sections 1552, 13269, 13368, 13387, 13610, 13611, 13611.5, 36153, 72303, 78688, 79532, and 79561.5 of, and to amend and renumber Section 12749.95 of the Water Code, to amend Sections 779, 1000.7, 1703, 5657, 7200.06, 10063, 11025, 11052.5, 11373, 11468.6, 14016.5, 14043.75, 14087.6, 14105.981, 14123.25, 14132.22, 14133.3, 14148.91, 14408, 15657, 15657.03, 16121.05, 16501.6, and 18358 of the Welfare and Institutions Code, and to amend Section 1 of Chapter 68 of, and Section 13 of Chapter 673 of, the Statutes of 2003, relating to the maintenance of the codes.

Assembly Concurrent Resolution 169—Relative to Postpartum Mood and Anxiety Disorder Awareness Month.

Assembly Concurrent Resolution 191—Relative to firefighters.

Assembly Joint Resolution 69—Relative to specialty crops.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Senate Chamber, April 19, 2004

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

SB 1577

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

Senate Bill 1577—An act to amend Sections 17, 331, 332, 2124, 3400, 4000, and 9160 of, and to amend and repeal Section 12223 of, the Elections Code, relating to voting.

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, April 19, 2004

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

SB 1705

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

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1705—An act to amend Section 21151 of the Public Resources Code, relating to environmental quality.

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, April 19, 2004

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

SB 1311

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

Senate Bill 1311—An act to add Section 3201.8 to 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 Judiciary

Date of Hearing, April 13, 2004

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

SB 1246

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

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Public Safety

Senate Chamber, April 19, 2004

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

SB 1744

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

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1744—An act to amend Sections 1305, 1306, and 1308 of, and to repeal Section 1305.4 of, the Penal Code, relating to bail services.

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, April 19, 2004

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

SB 1145

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

Senate Bill 1145—An act to amend Sections 1946.1, 1954.52, and 1954.53 of, to amend and repeal Section 827 of, and to repeal Section 1942.3 of, the Civil Code, to amend Section 1161.2 of the Code of Civil Procedure, and to amend Section 7060.4 of, and to amend and repeal Section 12955 of, the Government Code, relating to tenancy.

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, April 19, 2004

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

SB 1788

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

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1788—An act to amend Section 10295 of the Public Contract Code, relating to public contracts.

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, April 19, 2004

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

SB 1574

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

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1574—An act to repeal Section 51210.1 of the Education Code, relating to physical education.

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, April 19, 2004

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

SB 1473

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

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1473—An act to amend Section 912 of the Evidence Code, relating to privilege.

Bill read second time.

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

Committee on Natural Resources and Wildlife

Date of Hearing, April 13, 2004

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

SB 1434

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

KUEHL, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, April 14, 2004

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

SB 1845

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

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, April 14, 2004

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

SB 1585

SB 1631

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

ORTIZ, Chair

Above measures ordered to second reading.

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

Senate Bill 1746—An act to amend Section 17912 of the Business and Professions Code, to amend Sections 395.2 and 416.40 of the Code of Civil Procedure, to amend Sections 174.5, 5063.5, 12242.5, 15800, and 21200 of, to amend the heading of Part 5 (commencing with Section 24000) of Title 3 of, to add Sections 16309 and 16310 to, to add Part 1 (commencing with Section 18000) to Title 3 of, and to add Chapter 1 (commencing with Section 18605) to Part 2 of Title 3 of, and to repeal Sections 24000, 24001, 24002, 24003, 24004, 24005, 24006, and 24007 of, and to repeal Part 1 (commencing with Section 20000) of, and Chapter 1 (commencing with Section 21000) and Chapter 2 (commencing with Section 21100) of Part 2 of, Title 3 of, the Corporations Code, and to amend Section 50089 of the Government Code, relating to unincorporated associations.

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.

Senate Bill 1533—An act to repeal Sections 124250 and 124251 of the Health and Safety Code, and to add Section 13823.14 to the Penal Code, relating to the Office of Victim Services.

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.

Senate Bill 1760—An act to add Section 128 to the Government Code, relating to sovereign immunity.

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.

Senate Bill 1764—An act to amend Section 120440 of the Health and Safety Code, relating to immunization.

Bill read second time.

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

Senate Bill 1459—An act to add Section 8841 to, and to repeal Sections 8495 and 8836.5 of, the Fish and Game Code, relating to fishing, and making an appropriation therefor.

Bill read second time.

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

Senate Bill 1248—An act to amend Sections 2850 and 2854 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 re-referred to the Committee on Appropriations.

Senate Bill 1277—An act to amend Sections 2924b, 2924h, 2924j, 2924l, 2934a, 2945, 2945.1, 2945.3, and 2945.4 of the Civil Code, and to amend Section 18662 of the Revenue and Taxation Code, relating to mortgages.

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.

Senate Bill 1841—An act to add Section 436 to the Labor Code, relating to electronic monitoring of employees.

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.

Senate Bill 1149—An act to add and repeal Sections 4001.2 and 4001.3 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

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

Senate Bill 1314—An act to amend Sections 11105 and 14203 of the Penal Code, to amend Section 5164 of the Public Resources Code, and to amend Sections 2432.3 and 13377 of the Vehicle Code, relating to criminal history information, and declaring the urgency thereof, to take effect immediately.

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.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1643—An act to add Section 2750.7 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 1489—An act to amend Section 19826 of the Business and Professions Code, relating to gambling.

Bill read second time.

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

Assembly Bill 782—An act to add Section 216 to the Family 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.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing SB 1206, SB 1401, SB 1602, SB 1632, and SB 1892 to be heard in the Committee on Public Employment and Retirement on Tuesday, April 20, without the four days notice in the Daily File.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1528** was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Rules; and

SB 1688 was withdrawn from the Committee on Business and Professions and re-referred to the Committee on Rules.

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

Annual report dated: March 1, 2004, relating to the Annual Report of Activities was received from California Alternative Energy & Advanced Transportation Financing Authority and transmitted to the Committee on Budget and Fiscal Review.

Annual report dated: March 29, 2004, relating to Slave and Forced Labor Practices During World War II was received from the California State Teachers' Retirement System and transmitted to the Committee on Public Employment and Retirement.

Annual report dated: March 29, 2004, relating to Northern Ireland was received from the California State Teachers' Retirement System and transmitted to the Committee on Judiciary.

A report dated: March 29, 2004, relating to Transportation Rate Fund was received from the Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

A report dated: March 29, 2004, relating to the Testing of Stationary Automated Audible Warning Devices was received from Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

A report dated: March 29, 2004, relating to Statewide Asian Pacific Islander Anti-Hate Crime Program was received from Department of Justice and transmitted to the Committee on Public Safety.

A report dated: March 30, 2004, relating to Impact of Prior Court Approval on the Transfer of Structured Settlement Payment Rights was received from Department of Justice and transmitted to the Committee on Judiciary.

A report dated: March 30, 2004, relating to the Public Safety Radio Strategic Planning Committee (PSRSPC) was received from the Governor's Office of Emergency Services and transmitted to the Committee on Governmental Organization.

A report dated: March 31, 2004, relating to California Urban Waterfront Area Restoration Financing Authority (CUWARFA) was received from the California Urban Waterfront Area Restoration Financing Authority and transmitted to the Committee on Environmental Quality.

A report dated: April 1, 2004, relating to the intent to close Agnews Developmental Center was received from the Department of Developmental Services and transmitted to the Committee on Health and Human Services.

Annual report dated: April 1, 2004, relating to PIA Annual report to the Legislature FY 02/03 was received from the Department of Corrections and transmitted to the Committee on Public Safety.

A report dated: April 2, 2004, relating to California Wetlands Mitigation Banking was received from the Department of Fish and Game and transmitted to the Committee on Natural Resources and Wildlife.

A report dated: April 2, 2004, relating to Whistleblower Retaliation Complaints, Complaints of Retaliation for the Disclosure of Information by Public Employees for 2002 was received from the State Personnel Board and transmitted to the Committee on Governmental Organization.

A report dated: April 2, 2004, relating to The CSU Institutional Financial Aid Programs Award Years: 2001–02 and 2002–03 was received from the California State University and transmitted to the Committee on Budget and Fiscal Review.

Annual report dated: April 5, 2004, relating to Special Funds Expenditures for FY 02–03 was received from the Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.

Title Summary report dated: April 5, 2004, relating to Revenue Sources for Local Governments. Initiative Constitutional Amendment and Statute was received from Department of Justice and transmitted to the Committee on Rules.

Annual report dated: April 5, 2004, relating to Stanislaus County EMS Fund, FY 2002–03 was received from the County Health Services Agency and transmitted to the Committee on Health and Human Services.

Audit report dated: April 6, 2004, relating to California Department of Corrections' Process to Contract For Health Care Services Not Currently Available was received from California State Auditor and transmitted to the Committee on Rules.

Annual report dated: April 7, 2004, relating to Contra Costa County EMS Fund, covering the period of January 30 through December 31, 2003 was received from Contra Costa County Health Services and transmitted to the Committee on Health and Human Services.

A report dated: April 7, 2004, relating to the Public Interest Energy Research (PIER) program was received from California Council on Science and Technology and transmitted to the Committee on Energy, Utilities and Communications.

A report dated: April 8, 2004, relating to 2003 Juvenile Justice in California (delayed) was received from the Department of Justice and transmitted to the Committee on Public Safety.

A report dated: April 8, 2004, relating to Price Posting and Filing Law for Processing Strawberries was received from the Department of Food and Agriculture and transmitted to the Committee on Agriculture and Water Resources.

Annual report dated: April 8, 2004, relating to San Bernardino County EMS Fund, FY 2002–03 was received from the County of San Bernardino and transmitted to the Committee on Health and Human Services.

Annual report dated: April 8, 2004, relating to San Francisco County EMS Fund, FY 2002–03 was received from the City and County of San Francisco Department of Public Health and transmitted to the Committee on Health and Human Services.

Annual report dated: April 8, 2004, relating to EMS Fund Annual Report to the Legislature for Colusa County, FY 2002–03 was received from Colusa County Department of Health and Human Services and transmitted to the Committee on Health and Human Services.

A report dated: April 9, 2004, relating to Family Cost Participation Assessment Program, was received from The Department of Developmental Services and transmitted to the Committee on Budget and Fiscal Review.

Audit report dated: April 13, 2004, relating to the State's Oversight Structure of Six Long-Term Care Programs was received from California State Auditor and transmitted to the Committee on Rules.

A qualified initiative dated: April 14, 2004, relating to the Children's Hospital Projects. Grant Program Bond Act was received from the Secretary of State and transmitted to the Committee on Rules.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Ackerman, Brulte, Florez, and Oller.

The following Senator was granted leave of absence for the day due to a family illness: Senator Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

REQUEST TO ADJOURN IN MEMORIAM

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of Alexander Lee Jordan and Cynthia Jordan of Taft.

April 19, 2004

SENATE JOURNAL

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ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Tuesday, April 20, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, April 20, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,
Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and
Vasconcellos—37.

Quorum present.

*(NOTE: Senator Florez will be excused this day on legislative business,
Senator Vincent will be excused this day due to a family illness, and
Senator Knight will be excused this day due to illness.)*

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 19, 2004

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

- | | | |
|---------|---------|---------|
| ACR 147 | ACR 197 | ACR 199 |
| ACR 201 | ACR 202 | |

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Concurrent Resolution 147—Relative to California Holocaust Memorial Week.

Assembly Concurrent Resolution 197—Relative to “Denim Day California.”

Assembly Concurrent Resolution 199—Relative to Disaster Resistance Week.

Assembly Concurrent Resolution 201—Relative to California Earth Day.

Assembly Concurrent Resolution 202—Relative to libraries.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, April 19, 2004

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

SB 1085	SB 1482	SB 1823	ACR 115
SB 1164	SB 1565	SB 1840	ACR 121
SB 1170	SB 1603	SCR 50	ACR 131
SB 1183	SB 1708	SCR 53	ACR 135
SB 1327	SB 1777	SCR 64	ACR 139
SB 1388	SB 1778	SCR 69	
SB 1441	SB 1783	SCR 70	

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

ALPERT, Chair

Above measures ordered to second reading.

Committee on Environmental Quality

Date of Hearing, April 19, 2004

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

SB 1890

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.

SHER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 19, 2004

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

SB 1477

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

SHER, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, April 19, 2004

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

SB 1159	SB 1570	SB 1729
SB 1749	SB 1887	SB 1906

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

SHER, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 19, 2004

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

SB 1224

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

SHER, Chair

Above measure re-referred to the Committee on Rules.

Committee on Appropriations

Date of Hearing, April 19, 2004

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

SB 1137	SB 1214	SB 1610	AB 701
SB 1142	SB 1260	SB 1626	AB 1454
SB 1169	SB 1571	SB 1775	

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Date of Hearing, April 19, 2004

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

AB 1457

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

ALPERT, Chair

Above measure ordered to second reading.

Committee on Veterans Affairs

Senate Chamber, April 20, 2004

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

AB 1520

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 1520—An act to add Chapter 8.7 (commencing with Section 1370) to Division 6 of the Military and Veterans Code, relating to veterans' memorials.

Bill read second time.

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

Committee on Business and Professions

Date of Hearing, April 19, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

SB 1154	SB 1543	SB 1546	SB 1549
SB 1307	SB 1544	SB 1547	SB 1914
SB 1542	SB 1545	SB 1548	

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

FIGUEROA, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 19, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

SB 1913 SB 1915

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 measures ordered to second reading.

Committee on Housing and Community Development

Date of Hearing, April 19, 2004

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

SB 1146

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

DUCHENY, Chair

Above measure ordered to second reading.

Date of Hearing, April 19, 2004

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

SB 1176

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

DUCHENY, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Health and Human Services

Date of Hearing, April 14, 2004

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

SB 1765

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

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, April 20, 2004

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

SB 1822

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

Senate Bill 1822—An act to add Section 1798.87 to the Civil Code, relating to privacy.

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, April 20, 2004

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

SB 1612

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

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1612—An act to add Section 11410 to the Welfare and Institutions Code, relating to foster care.

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, April 20, 2004

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

SB 1787

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

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1787—An act to amend Section 11011.15 of the Government Code, relating to state property.

Bill read second time.

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

Committee on Agriculture and Water Resources

Date of Hearing, April 20, 2004

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

SB 1604

Reports the same back with the recommendation: Do pass.

MACHADO, Chair

Above bill ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1677

SB 1909

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

MACHADO, Chair

Above measures ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1132

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

MACHADO, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, April 20, 2004

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

SB 1374 SB 1826 SB 1910 SB 1911

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

MACHADO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 20, 2004

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

SB 1650 SB 1899

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.

MACHADO, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Public Employment and Retirement

Date of Hearing, April 20, 2004

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

SB 1206

Reports the same back with the recommendation: Do pass.

SOTO, Chair

Above bill ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1401 SB 1602 SB 1892

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

SOTO, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Appropriations

Senate Chamber, April 20, 2004

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

SB 1426

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

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1426—An act to add Section 5024.5 to the Penal Code, relating to correctional facilities.

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, April 20, 2004

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

SB 1193

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

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1193—An act to add Chapter 3.5 (commencing with Section 850) to Division 4 of the Military and Veterans Code, relating to veterans.

Bill read second time.

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

Date of Hearing, April 14, 2004

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

SB 1129

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, April 14, 2004

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

SB 1331

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, March 31, 2004

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

SB 1322

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, April 20, 2004

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

SB 1297

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

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1297—An act to amend Sections 6011 and 6012 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 measure ordered printed and re-referred to the committee.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Bill 1246—An act to add Section 6077.2 to the Business and Professions Code, relating to attorneys.

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.

Senate Bill 1434—An act to amend Section 4186 of the Fish and Game Code, relating to rabbits.

Bill read second time.

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

Senate Bill 1845—An act to amend Sections 1575.5 and 100445 of, and to repeal and add Section 1575.9 of, the Health and Safety Code, and to amend Sections 14526, 14552, 14573, 14574, and 14574.1 of, and to add Sections 14552.1, 14552.2, and 14572.1 to, the Welfare and Institutions Code, relating to adult day health care.

Bill read second time.

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

Senate Bill 1585—An act to add Article 6.5 (commencing with Section 110806) to Chapter 5 of Part 5 of Division 104 of the Health and Safety Code, relating to food safety.

Bill read second time.

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

Senate Bill 1631—An act to add Part 6.25 (commencing with Section 12694) to Division 2 of the Insurance Code, and to amend Section 14005.30 of the Welfare and Institutions Code, relating to health care coverage.

Bill read second time.

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

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SB 1842** was withdrawn from Committee and placed on second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1509** was withdrawn from the Committee on Insurance and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Appropriations

SB 1137—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Johnson, Machado, and Speier.

NOES (2)—Senators Ashburn and Battin.

SB 1142—Do pass

AYES (8)—Senators Alpert, Ashburn, Battin, Burton, Escutia, Johnson, Machado, and Speier.

NOES (0)—None.

SB 1153—Do pass as amended

AYES (9)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Machado, and Speier.

NOES (0)—None.

SB 1169—Do pass

AYES (7)—Senators Alpert, Ashburn, Burton, Escutia, Machado, Murray, and Speier.

NOES (1)—Senator Battin.

SB 1175—Do pass as amended

AYES (8)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, and Machado.

NOES (0)—None.

SB 1214—Do pass

AYES (8)—Senators Alpert, Battin, Bowen, Burton, Escutia, Machado, Murray, and Speier.

NOES (1)—Senator Ashburn.

SB 1260—Do pass

AYES (10)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Machado, Murray, and Speier.

NOES (0)—None.

SB 1369—Do pass as amended

AYES (6)—Senators Alpert, Bowen, Burton, Escutia, Machado, and Murray.

NOES (1)—Senator Ashburn.

Failed passage

SB 1369—Reconsideration granted

AYES (10)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Machado, Murray, and Speier.

NOES (0)—None.

SB 1571—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Johnson.

SB 1596—Do pass

AYES (6)—Senators Alpert, Bowen, Burton, Escutia, Machado, and Murray.

NOES (2)—Senators Ashburn and Battin.

Failed passage

SB 1596—Reconsideration granted

AYES (10)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Machado, Murray, and Speier.

NOES (0)—None.

SB 1601—Do pass as amended

AYES (9)—Senators Alpert, Battin, Bowen, Burton, Escutia, Johnson, Machado, Murray, and Speier.

NOES (0)—None.

SB 1610—Do pass

AYES (8)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, and Machado.

NOES (0)—None.

SB 1626—Do pass

AYES (8)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, and Machado.

NOES (0)—None.

SB 1775—Do pass

AYES (8)—Senators Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Machado, and Speier.

NOES (0)—None.

AB 701—Do pass

AYES (7)—Senators Alpert, Ashburn, Battin, Burton, Escutia, Johnson, and Speier.

NOES (0)—None.

AB 1454—Do pass

AYES (9)—Senators Alpert, Battin, Bowen, Burton, Escutia, Johnson, Machado, Murray, and Speier.

NOES (0)—None.

AB 1457—Do pass as amended

AYES (8)—Senators Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Machado, and Speier.

NOES (0)—None.

Date of Hearing: 4/19/04

Alpert (Chair)

Committee on Business and Professions**SB 1154**—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1307—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (1)—Senator Aanestad.

SB 1336—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Aanestad, Cedillo, Machado, and Murray.

NOES (0)—None.

SB 1363—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (1)—Senator Aanestad.

SB 1542—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1543—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1544—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1545—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1546—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1547—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1548—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1549—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1735—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1865—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1913—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1914—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

SB 1915—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

Date of Hearing: 4/19/04

Figueroa (Chair)

Committee on Environmental Quality

SB 1089—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Denham, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1159—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator Denham.

SB 1168—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators Denham and McPherson.

SB 1180—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators Denham and McPherson.

SB 1224—Do pass and re-refer to Committee on Rules

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators Denham and McPherson.

SB 1247—Do pass as amended and re-refer to Committee on Transportation

AYES (7)—Senators Chesbro, Denham, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1334—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator Denham.

SB 1477—Do pass and re-refer to Committee on Rules

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (1)—Senator Denham.

SB 1486—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Denham and McPherson.

NOES (4)—Senators Chesbro, Kuehl, Romero, and Sher.

Failed passage

SB 1486—Reconsideration granted

AYES (6)—Senators Chesbro, Denham, Figueroa, Kuehl, Romero, and Sher.

NOES (0)—None.

SB 1570—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Denham, Figueroa, Kuehl, Romero, and Sher.

NOES (0)—None.

SB 1729—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator McPherson.

SB 1749—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator Denham.

SB 1887—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Denham, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1890—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Chesbro, Denham, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1906—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Denham, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

Date of Hearing: 4/19/04

Sher (Chair)

Committee on Housing and Community Development**SB 1146**—Do pass, to Consent Calendar

AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

SB 1156—Do pass as amended

AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

SB 1176—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Cedillo, Ducheny, Dunn, and Torlakson.

NOES (1)—Senator Hollingsworth.

SB 1188—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

SB 1328—Do pass as amended and re-refer to Committee on Judiciary

AYES (5)—Senators Alarcón, Cedillo, Ducheny, Dunn, and Torlakson.

NOES (1)—Senator Hollingsworth.

SB 1634—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Cedillo, Ducheny, Dunn, and Torlakson.

NOES (1)—Senator Hollingsworth.

SB 1818—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

Date of Hearing: 4/19/04

Ducheny (Chair)

Committee on Agriculture and Water Resources**SB 1132**—Do pass and re-refer to Committee on Rules

AYES (10)—Senators Aanestad, Alpert, Denham, Ducheny, Hollingsworth, Kuehl, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1374—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Denham, Ducheny, Kuehl, Margett, Perata, and Torlakson.

NOES (1)—Senator Aanestad.

SB 1604—Do pass

AYES (10)—Senators Aanestad, Alpert, Denham, Ducheny, Hollingsworth, Kuehl, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1650—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alpert, Ducheny, Hollingsworth, Kuehl, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1677—Do pass, to Consent Calendar

AYES (9)—Senators Aanestad, Alpert, Ducheny, Hollingsworth, Kuehl, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1732—Do pass as amended and re-refer to Committee on Environmental Quality

AYES (8)—Senators Aanestad, Alpert, Ducheny, Hollingsworth, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1826—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Aanestad, Alpert, Denham, Ducheny, Hollingsworth, Kuehl, Perata, and Poochigian.

NOES (0)—None.

SB 1899—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alpert, Ducheny, Hollingsworth, Kuehl, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1909—Do pass, to Consent Calendar

AYES (9)—Senators Aanestad, Alpert, Ducheny, Hollingsworth, Kuehl, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1910—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alpert, Denham, Ducheny, Kuehl, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1911—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alpert, Denham, Ducheny, Hollingsworth, Kuehl, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

Date of Hearing: 4/20/04

Machado (Chair)

Committee on Public Employment and Retirement

SB 1206—Do pass

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

SB 1401—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Ashburn, Escutia, Karnette, and Soto.

NOES (0)—None.

SB 1602—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

SB 1632—Do pass as amended and re-refer to Committee on Rules

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

SB 1892—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

Date of Hearing: 4/20/04

Soto (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

The following Senator was granted leave of absence for the day due to a family illness: Senator Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

REQUEST TO ADJOURN IN MEMORIAM

Senator Alarcón requested that when the Senate adjourns this day it do so in memory of Juan “Johnny” Casillas of San Fernando.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator’s request until 9 a.m., Wednesday, April 21, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, April 21, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—38.

Quorum present.

(NOTE: Senator Vincent will be excused this day due to a family illness and Senator Knight will be excused this day due to illness.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
April 21, 2004

To the Members of the California Senate:

SB 678, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of SB 678 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, April 21, 2004

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

SB 1518

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

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1518—An act to amend Section 802 of the Food and Agricultural Code, relating to agricultural policy.

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, April 20, 2004

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

SB 1695

Reports the same back with the recommendation: Do pass.

MCPHERSON, Chair

Above bill ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1431

SB 1866

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.

JOHNSON, Vice Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 20, 2004

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

SB 1227

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

JOHNSON, Vice Chair

Above measure re-referred to the Committee on Appropriations.

Senate Chamber, April 20, 2004

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

SB 1755

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

JOHNSON, Vice Chair

Above measure ordered filed with the Secretary of the Senate.

Date of Hearing, April 20, 2004

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

SB 1587

SB 1752

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

JOHNSON, Vice Chair

Above measures ordered to second reading.

Date of Hearing, April 13, 2004

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

SB 1753

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

JOHNSON, Vice Chair

Above measure ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1435

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.

JOHNSON, Vice Chair

Above measure re-referred to the Committee on Rules.

Committee on Appropriations

Senate Chamber, April 15, 2004

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

SB 1654

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

ALPERT, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 20, 2004

Mr. President: The Committee on Public Safety, to which was referred: SB 1084

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

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Agriculture and Water Resources

Date of Hearing, April 20, 2004

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

SB 1732

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

MACHADO, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, April 20, 2004

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

SB 1233

SB 1236

SB 1507

SB 1615

SB 1800

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

MURRAY, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 20, 2004

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

SB 1235

SB 1784

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

MURRAY, Chair

Above measures ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1725

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

MURRAY, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Appropriations

Senate Chamber, April 21, 2004

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

SB 1147

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

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1147—An act to amend Sections 218, 17207, and 24347.5 of the Revenue and Taxation Code, relating to disaster relief, to take effect immediately, tax levy.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 20, 2004

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

SB 1344

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.

ESCUTIA, Chair

Above measure re-referred to the Committee on Appropriations.

Senate Chamber, April 21, 2004

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

SB 1721

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

Senate Bill 1721—An act to add Section 1799.208 to the Civil Code, relating to consumer contracts.

Bill read second time.

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

Date of Hearing, April 20, 2004

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

SB 1150

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

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1145

SB 1279

SB 1305

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 Housing and Community Development

Date of Hearing, April 19, 2004

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

SB 1188

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

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Public Employment and Retirement

Date of Hearing, April 20, 2004

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

SB 1632

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

SOTO, Chair

Above measure ordered to second reading.

Committee on Elections and Reapportionment

Date of Hearing, April 21, 2004

Mr. President: The Committee on Elections and Reapportionment, to which were referred:

SB 1577

SB 1670

SB 1712

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.

PERATA, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 21, 2004

Mr. President: The Committee on Elections and Reapportionment, to which were referred:

SB 1340

SB 1351

SB 1353

SB 1449

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

PERATA, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 21, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SB 1376

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

PERATA, Chair

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

Committee on Judiciary

Senate Chamber, April 21, 2004

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

SB 1801

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

ESCUTIA, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Governmental Organization

Senate Chamber, April 21, 2004

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

SB 1754

SB 1758

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

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1754—An act to add Section 14682 to the Government Code, relating to state property.

Bill read second time.

Senate Bill 1758—An act to add Section 11011.23 to the Government Code, relating to state property.

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

Date of Hearing, April 21, 2004

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

SB 1382

SB 1663

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.

TORLAKSON, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 21, 2004

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

SB 1212

SB 1529

SB 1791

SB 1808

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

TORLAKSON, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 21, 2004

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

SB 1310

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

TORLAKSON, Chair

Above measure re-referred to the Committee on Rules.

Committee on Rules

Senate Chamber, April 21, 2004

Mr. President: The Committee on Rules has examined:

SB 678

And reports that the same has been correctly enrolled, and presented to the Governor on the 21st day of April, 2004, at 3 p.m.

BURTON, Chair

Committee on Business and Professions

Senate Chamber, April 21, 2004

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

SB 1485

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

Senate Bill 1485—An act to amend Sections 2620 and 2622 of the Business and Professions Code, relating to physical therapy.

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, April 21, 2004

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

AB 1670

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

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1670—An act to amend Section 52124 of the Education Code, relating to class reduction, and declaring the 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.

Committee on Rules

State Capitol, April 21, 2004

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

Environmental Quality—SJR 28.

Health and Human Services—SJR 29.

Local Government—SJR 27.

Transportation—SR 34.

The Committee on Rules has ordered the following bills re-referred:

Agriculture and Water Resources—SB 1518.

Banking, Commerce and International Trade—SB 1857.

Education—SB 1224.

Education and Labor and Industrial Relations—SB 1377.

Environmental Quality—SB 1132, SB 1705, SB 1885.

Governmental Organization—SB 1787, SB 1788.

Health and Human Services—SB 1509.

Judiciary—SB 1473, SB 1528.

Natural Resources and Wildlife—SB 1477.

Veterans Affairs—SB 1688.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules for assignment:

Senate Constitutional Amendment 23: By Senator McClintock—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (f) of Section 10 of Article IV thereof, relating to state finances.

Senate Concurrent Resolution 77: By Senators Vasconcellos, McPherson, Poochigian, and Romero—Relative to the State Advisory Committee on Institutional Religion.

Senate Concurrent Resolution 78: By Senator Cedillo (Coauthors: Assembly Members Benoit, La Suer, Maddox, and Nunez)—Relative to the Bill Keene Interchange.

Senate Resolution 35: By Senator Cedillo—Relative to Pepe Barreto Day.

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

Senate Bill 1085—An act to amend Sections 21464 and 42001 of the Vehicle Code, relating to vehicles.

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

Senate Bill 1164—An act to add Sections 2602 and 2603 to the Penal Code, relating to prisoners.

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

Senate Bill 1170—An act to amend Section 14105.45 of the Welfare and Institutions Code, relating to Medi-Cal.

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

Senate Bill 1183—An act to amend Section 19596 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

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

Senate Bill 1327—An act to add Section 5013.5 to the Public Resources Code, relating to state parks.

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

Senate Bill 1388—An act to amend Section 11105 of the Penal Code, relating to criminal history information.

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

Senate Bill 1441—An act to add Section 679.05 to the Penal Code, relating to domestic violence.

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

Senate Bill 1482—An act to amend Section 5093.68 of the Public Resources Code, relating to wild and scenic rivers.

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

Senate Bill 1565—An act to add Section 25324 to the Public Resources Code, relating to energy conservation and development.

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

Senate Bill 1603—An act to amend Sections 20063, 21157, 21251.15, 21408, 21409, 21410, 21424, 22013.7, 22821.2, 75077, 75079, 75091, and 75104.4 of, to amend and renumber Section 20035.5 of, to add Sections 75031.5, 75109.1, 75506.6, and 75611.5 to, and to repeal Sections 21417, 75034.1, and 75094 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

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

Senate Bill 1708—An act to repeal Section 7555 of the Penal Code, relating to medical testing of prisoners.

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

Senate Bill 1777—An act to amend Sections 50451, 50452, and 50453 of, and to repeal Section 50524 of, the Health and Safety Code, relating to the statewide housing plan.

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

Senate Bill 1778—An act to amend Section 18021.7 of the Health and Safety Code, relating to mobilehomes.

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

Senate Bill 1783—An act to amend Section 14094.3 of the Welfare and Institutions Code, relating to Medi-Cal.

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

Senate Bill 1823—An act to amend Sections 7072, 7073, 7073.8, 7073.9, 7074, 7075, 7076, 7076.1, 7076.2, 7081, 7085, 7085.5, and 7086 of the Government Code, relating to economic development.

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

Senate Bill 1840—An act to amend Sections 9904, 9910, 9912, 9932, 9941, 9942, 9943, 9944, 9971, 9972, 9973, 9974, 9975, 9976, 9977, 9978, 9979, 9980, 9981, 9982, 10003, 10006, 10061, 10062, 10063, 10064, 10065, 10066, 10067, 10068, 10103, and 10151 of, to amend the headings of Article 3 (commencing with Section 9941) and Article 4 (commencing with Section 9971 of Chapter 2 of Part 2 of Division 5 of, to add Sections 9914, 9933, and 10100 to, to repeal Sections 9905, 9906, 9911, 10002, 10004, 10005, 10008, 10009, 10071, 10104, and 10105 of, to repeal Article 6 (commencing with Section 10031), Article 8 (commencing with Section 10081), and Article 10 (commencing with Section 10131) of Chapter 2 of Part 2 of Division 5 of, and to repeal and add Sections 9907, 10004, 10007, 10101, and 10102 of, the Food and Agricultural Code, relating to diseased animals.

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

Senate Concurrent Resolution 50—Relative to CHP Officer David W. Manning Memorial Freeway.

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

Senate Concurrent Resolution 53—Relative to the Firefighter Steven Rucker Memorial Highway.

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

Senate Concurrent Resolution 64—Relative to the Fire Chief F.S. “Pete” Pedroza Memorial Highway.

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

Senate Concurrent Resolution 69—Relative to the Everett and Louella Thomas Memorial Highway.

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

Senate Concurrent Resolution 70—Relative to the Victor V. Veysey Expressway.

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

Senate Bill 1137—An act to amend Section 22200 of the Education Code, relating to state teachers’ retirement.

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

Senate Bill 1142—An act to amend Sections 37700 and 37706 of the Education Code, relating to school districts.

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

Senate Bill 1169—An act to amend Sections 2704.13 and 2704.16 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation, and declaring the urgency thereof, to take effect immediately.

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

Senate Bill 1214—An act to amend Section 2081.7 of the Fish and Game Code, relating to wildlife, and making an appropriation therefor.

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

Senate Bill 1260—An act to amend Sections 31492 and 31492.1 of, and to add Section 31760.5 to, the Government Code, relating to county employees’ retirement.

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

Senate Bill 1571—An act to amend Section 25110 of the Revenue and Taxation Code, relating to taxation.

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

Senate Bill 1610—An act to amend Section 50781 of the Health and Safety Code, relating to mobilehome parks, and making an appropriation therefor.

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

Senate Bill 1626—An act to amend Section 129785 of the Health and Safety Code, relating to health facility construction, and declaring the urgency thereof, to take effect immediately.

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

Senate Bill 1775—An act to amend Sections 4450 and 4454 of the Government Code, relating to disability access, and making an appropriation therefor.

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

Senate Bill 1913—An act to amend Sections 28, 1274, 2041, 2462, 2470.14, 2902, 2915.7, 2936, 4005, 4030, 4059.5, 4076, 4081, 4101, 4114, 4200, 4409, 4980.395, 4990.4, 4995.26, 4996.18, and 4996.20 of, and to add Sections 4026.5, 4107, 4208, and 4209 to, the Business and Professions Code, and to amend Sections 11159.1, 11207, and 111625 of the Health and Safety Code, relating to professions.

Bill read second time.

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

Senate Bill 1915—An act to amend Sections 144, 7069, 7090.1, 7139.2, and 7153.1 of the Business and Professions Code, relating to contractors, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Senate Bill 1146—An act to amend Section 798.25 of the Civil Code, relating to mobilehome parks.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1765—An act to add Chapter 8 (commencing with Section 119400) to Part 15 of Division 104 of the Health and Safety Code, relating to pharmaceutical marketing.

Bill read second time.

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

Senate Bill 1604—An act to amend Sections 6047.60, 6047.63, 6047.64, 6047.68, 6047.69, 6047.70, 6047.74, 6047.76, 6047.77, 6047.78, 6047.79, 6047.80, 6047.82, 6047.87, 6047.88, 6047.89, 6047.94, 6047.96, 6047.97, 6047.101, 6047.105, 6047.109, 6047.112, 6047.113, 6047.118, 6047.124 of, and to repeal Section 6047.93 of, the Food and Agricultural

Code, relating to pest control, and declaring the urgency thereof, to take effect immediately.

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

Senate Bill 1677—An act to amend Section 13 3/4 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1909—An act to amend Sections 230, 461, 462, 463, 465, 1009, 1058.5, 1257, 10013, 10615, 10825, 10841, 11951, 11952, 11962, 11964, 11981, 11982, 11983, 12921.3, 12929.22, 12947, 13167.5, 13415, 13515, 13523, 13523.1, 13529.2, 13530, 13627, 13952, 14957, 31035, 31144.71, 31145, 31630.5, 31631, 31633, 55335, 71610.5, and 81420 of, and to amend the heading of Chapter 7 (commencing with Section 13500) of Division 7 of, the Water Code, relating to water.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1206—An act to add Section 31539 to the Government Code, relating to county employees' retirement.

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

Senate Bill 1129—An act to add and repeal Section 17463.5 of the Education Code, relating to school finance, to take effect immediately, as an urgency statute.

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 Rules.

Senate Bill 1331—An act to add Chapter 12.5 (commencing with Section 67100) to Part 40 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of, the Education Code, relating to postsecondary education accountability.

Bill read second time.

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

Senate Bill 1322—An act to amend Sections 66025.6, 69433.4, 69750, 69750.3, 69750.5, 69750.7, 69751, 69751.3, and 69751.5 of, and to add Section 69751.4 to, the Education Code, and to amend Section 981.8 of the Military and Veterans Code, relating to veterans.

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 Veterans Affairs.

Senate Bill 1842—An act to make an appropriation in augmentation of the Budget Act of 2003, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

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

SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 115—Relative to the Inspector Raymond J. Giacomelli Memorial Overcrossing.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 121—Relative to the Semper Fi Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 131—Relative to the William Alexander Leidesdorff, Jr. Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 135—Relative to the Deputy Sheriff Stephen Sorensen Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 139—Relative to the Charles R. Drew University of Medicine and Science.

Resolution read second time and ordered to third reading.

Assembly Bill 701—An act to add and repeal Sections 19605.75, 19605.76, 19605.77, and 19605.78 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1454—An act to add and repeal Section 116183 of the Health and Safety Code, relating to the public health, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1457—An act relating to telecommunications, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1435** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

SENATE COMMITTEE ROLL CALLS
Committee on Governmental Organization

SB 1227—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Murray, and Soto.

NOES (0)—None.

SB 1261—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, and Soto.

NOES (0)—None.

SB 1435—Do pass and re-refer to Committee on Rules, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SB 1437—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SB 1452—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Cedillo, Chesbro, Dunn, Karnette, Machado, Murray, and Soto.

NOES (4)—Senators Battin, Brulte, Johnson, and Margett.

SB 1505—Do pass and re-refer to Committee on Rules

AYES (5)—Senators Battin, Brulte, Johnson, Karnette, and Margett.

NOES (4)—Senators Cedillo, Dunn, Murray, and Soto.

Failed passage

SB 1505—Reconsideration granted

AYES (9)—Senators Battin, Brulte, Cedillo, Dunn, Johnson, Karnette, Margett, Murray, and Soto.

NOES (0)—None.

SB 1587—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Murray, and Soto.

NOES (0)—None.

SB 1622—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SB 1647—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SB 1750—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Battin, Brulte, Johnson, and Margett.

NOES (5)—Senators Chesbro, Dunn, Karnette, Murray, and Soto.

Failed passage

SB 1750—Reconsideration granted

AYES (9)—Senators Battin, Brulte, Chesbro, Dunn, Johnson, Karnette, Margett, Murray, and Soto.

NOES (0)—None.

SB 1752—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Battin, Brulte, Chesbro, Dunn, Johnson, Karnette, Machado, Murray, and Soto.

NOES (0)—None.

SB 1754—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Battin, Brulte, Johnson, and Margett.

NOES (6)—Senators Chesbro, Dunn, Karnette, Machado, Murray, and Soto.

Failed passage

SB 1754—Reconsideration granted

AYES (10)—Senators Battin, Brulte, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SB 1755—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Battin, Brulte, Johnson, Margett, Murray, and Soto.

NOES (2)—Senators Chesbro and Dunn.

Failed passage

SB 1756—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Battin, Brulte, Johnson, and Margett.

NOES (6)—Senators Chesbro, Dunn, Karnette, Machado, Murray, and Soto.

Failed passage

SB 1756—Reconsideration granted

AYES (10)—Senators Battin, Brulte, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SB 1757—Committee amendments

AYES (3)—Senators Chesbro, Johnson, and Karnette.

NOES (0)—None.

SB 1757—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SB 1758—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Battin, Brulte, Johnson, and Margett.

NOES (3)—Senators Chesbro, Karnette, and Soto.

Failed passage

SB 1758—Reconsideration granted

AYES (7)—Senators Battin, Brulte, Chesbro, Johnson, Karnette, Margett, and Soto.

NOES (0)—None.

SB 1812—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SB 1873—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

SCA 15—Be adopted as amended and re-refer to Committee on Constitutional Amendments

AYES (4)—Senators Battin, Brulte, Johnson, and Margett.

NOES (7)—Senators Cedillo, Chesbro, Dunn, Karnette, Machado, Murray, and Soto.

Failed passage

SCA 15—Reconsideration granted

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Murray, and Soto.

NOES (0)—None.

Date of Hearing: 4/20/04

Vincent (Chair)

Committee on Judiciary

SB 1090—Be adopted as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1145—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

SB 1150—Do pass as amended

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1262—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

SB 1268—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Cedillo and Morrow.

NOES (4)—Senators Ducheny, Escutia, Kuehl, and Sher.

Failed passage

SB 1268—Reconsideration granted

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1269—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

SB 1279—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

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

SB 1284—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

SB 1305—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

SB 1344—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1475—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

SB 1488—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

SB 1506—Do pass as amended and re-refer to Committee on Public Safety

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

SB 1568—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

SB 1616—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Ackerman and Morrow.

NOES (4)—Senators Ducheny, Escutia, Kuehl, and Sher.

Failed passage

SB 1616—Reconsideration granted

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1722—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

SB 1801—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Kuehl, and Sher.

NOES (4)—Senators Ackerman, Cedillo, Ducheny, and Morrow.

Failed passage

Date of Hearing: 4/20/04

Escutia (Chair)

Committee on Public Safety

SB 1084—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Margett, McPherson, and Romero.

NOES (0)—None.

SB 1140—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (2)—Senators Margett and McPherson.

SB 1152—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (2)—Senators Margett and McPherson.

SB 1167—Do pass as amended and re-refer to Committee on Appropriations

AYES (1)—Senator Vasconcellos.

NOES (3)—Senators Margett, McPherson, and Romero.

Failed passage

SB 1203—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (2)—Senators Burton and Romero.

Failed passage

SB 1287—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1289—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1313—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1330—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1342—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators McPherson, Romero, Sher, and Vasconcellos.

NOES (1)—Senator Margett.

SB 1352—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1361—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1391—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1400—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1429—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1431—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1461—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (3)—Senators Romero, Sher, and Vasconcellos.

Failed passage

SB 1468—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Romero, Sher, and Vasconcellos.

NOES (2)—Senators Margett and McPherson.

Failed passage

SB 1468—Reconsideration granted

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1484—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1522—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (1)—Senator Margett.

SB 1541—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1550—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (0)—None.

Failed passage

SB 1640—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (2)—Senators Margett and McPherson.

SB 1642—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1644—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1657—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1669—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

SB 1676—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (1)—Senator Margett.

SB 1694—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1695—Do pass

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1696—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1697—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1698—Do pass

AYES (2)—Senators Margett and McPherson.

NOES (2)—Senators Burton and Romero.

Failed passage

SB 1715—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1731—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1733—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (2)—Senators Margett and McPherson.

SB 1781—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Margett, McPherson, and Romero.

NOES (0)—None.

SB 1796—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1797—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1803—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (3)—Senators Romero, Sher, and Vasconcellos.

Failed passage

SB 1866—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (1)—Senator Margett.

SB 1893—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1900—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 4/20/04

McPherson (Chair)

Committee on Transportation**SB 1135**—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Figueroa, Morrow, Soto, and Torlakson.

NOES (0)—None.

Failed passage

SB 1135—Reconsideration granted

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1233—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1235—Do pass, to Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1236—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Scott, Soto, and Speier.

NOES (0)—None.

SB 1320—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Soto and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

Failed passage

SB 1320—Reconsideration granted

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1324—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Figueroa, Karnette, Morrow, Murray, Perata, Soto, and Torlakson.

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

SB 1345—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ashburn, Morrow, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

Failed passage

SB 1345—Reconsideration granted

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1372—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

NOES (6)—Senators Figueroa, Karnette, Murray, Scott, Soto, and Speier.

Failed passage

SB 1381—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Figueroa, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

SB 1500—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Figueroa, Karnette, Murray, Scott, Soto, Speier, and Torlakson.

NOES (3)—Senators Brulte, McClintock, and Morrow.

SB 1507—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Murray, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1582—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Figueroa, Karnette, Murray, Scott, Soto, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

SB 1614—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Murray, Soto, and Torlakson.

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

Failed passage

SB 1614—Reconsideration granted

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1615—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Scott, Speier, and Torlakson.

NOES (0)—None.

SB 1711—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Figueroa, Karnette, McClintock, Murray, Scott, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, Morrow, and Soto.

SB 1725—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1784—Do pass, to Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1793—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Brulte, McClintock, Morrow, Murray, Scott, and Torlakson.

NOES (3)—Senators Ashburn, Karnette, and Soto.

Failed passage

SB 1793—Reconsideration granted

AYES (12)—Senators Ashburn, Brulte, Figueroa, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1800—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Figueroa, Karnette, Murray, Scott, Soto, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

Date of Hearing: 4/20/04

Murray (Chair)

Committee on Elections and Reapportionment**SB 1282**—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Johnson and Poochigian.

NOES (3)—Senators Escutia, Murray, and Perata.

Failed passage

SB 1282—Reconsideration granted

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1326—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1340—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1351—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1353—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1370—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Johnson and Poochigian.

NOES (3)—Senators Escutia, Murray, and Perata.

Failed passage

SB 1370—Reconsideration granted

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1371—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Johnson and Poochigian.

NOES (3)—Senators Escutia, Murray, and Perata.

Failed passage

SB 1371—Reconsideration granted

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1376—Do pass and re-refer to Committee on Public Safety

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1438—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1449—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1577—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1670—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1712—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1730—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1849—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Murray, and Perata.

NOES (0)—None.

Date of Hearing: 4/21/04

Perata (Chair)

Committee on Local Government

SB 1212—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SB 1272—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Machado, Margett, Perata, Soto, and Torlakson.

NOES (2)—Senators Ackerman and Hollingsworth.

SB 1310—Do pass and re-refer to Committee on Rules

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SB 1382—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SB 1497—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SB 1529—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SB 1592—Do pass as amended and re-refer to Committee on Housing and Community Development

AYES (4)—Senators Machado, Perata, Soto, and Torlakson.

NOES (2)—Senators Ackerman and Hollingsworth.

SB 1663—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SB 1791—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SB 1808—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SB 1820—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Machado, Perata, Soto, and Torlakson.

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

Date of Hearing: 4/21/04

Torlakson (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to a family illness: Senator Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Dunn requested that when the Senate adjourns this day it do so in memory of Marshall F. Norris of Orange.

Senator McClintock requested that when the Senate adjourns this day it do so in memory of Cpl. Chris Gibson, USMC of Simi Valley.

April 21, 2004

SENATE JOURNAL

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ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 8:30 a.m., Thursday, April 22, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, April 22, 2004

The Senate met at 8:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—37.
Quorum present.

(NOTE: Senator Vincent will be excused this day due to a family illness and Senators Knight and Ortiz will be excused this day due to illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Lord, May our work reflect the light and the shadows that are our being. May we have clarity, knowing when and where to begin and when and how to stop. May we always have the courage to ask the hard questions, to peer deeply into the dark pools, and wait patiently for the sediment to clear.—AMEN

(Marcy Tilton, adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES**Committee on Judiciary**

Senate Chamber, April 22, 2004

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

SB 1866

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

Senate Bill 1866—An act to amend Sections 17004 and 17004.7 of, to add Section 1666.1 to, and to add Article 2 (commencing with Section 2830) to Chapter 4 of Division 2 of, the Vehicle Code, relating to vehicles.

Bill read second time.

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

Committee on Revenue and Taxation

Senate Chamber, April 22, 2004

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

SB 1736

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

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1736—An act to repeal and add Chapter 3 (commencing with Section 18701) of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

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

Date of Hearing, April 21, 2004

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

SB 1162

SB 1559

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

CEDILLO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 21, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

SB 1689

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.

CEDILLO, Chair

Above measure re-referred to the Committee on Appropriations.

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

Senate Bill 1695—An act to amend Section 23646 of the Vehicle Code, relating to vehicles.

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

Senate Bill 1587—An act to add Section 336 to the Unemployment Insurance Code, relating to business.

Bill read second time.

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

Senate Bill 1752—An act relating to state property.

Bill read second time.

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

Senate Bill 1753—An act to amend Sections 11011 and 11011.5 of, and to repeal Sections 11011.1, 11011.3, and 11011.4 of, the Government Code, relating to state property.

Bill read second time.

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

Senate Bill 1654—An act to amend Section 8592.1 of, and to add Section 8592.6 to, the Government Code, relating to public safety.

Bill read second time.

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

Senate Bill 1084—An act to amend Section 97.1 of the Streets and Highway Code, and to amend Section 42010 of the Vehicle Code, relating to highways.

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.

Senate Bill 1732—An act to add Chapter 5.5 (commencing with Section 33600) to Part 1 of Division 15 of the Food and Agricultural Code, relating to dairy.

Bill read second time.

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

Senate Bill 1235—An act to amend Sections 1655, 1685, and 24011 of, and to repeal Section 11705.5 of, of the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1784—An act to add Section 259 to the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1150—An act to add Article 2.5 (commencing with Section 14440) to Chapter 3 of Division 6 of the Business and Professions Code, relating to lenders.

Bill read second time.

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

Senate Bill 1188—An act to amend Section 50550.1 of the Health and Safety Code, relating to farmworker housing.

Bill read second time.

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

Senate Bill 1632—An act to add Section 7513.7 to the Government Code, relating to public pension systems.

Bill read second time.

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

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **ACR 194** and **ACR 206** were withdrawn from Committee and placed on today's Consent Calendar.

CONSIDERATION OF DAILY FILE (RESUMED) CONSENT CALENDAR

Senate Bill 1408—An act to amend Section 3439.04 of the Civil Code, relating to fraudulent transfers.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1564—An act to amend Section 3440.1 of the Civil Code, relating to fraudulent transfers.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1832—An act to amend Section 1812.601 of the Civil Code, and to amend Sections 72, 327.1, 2503.1, 2503.2, 2504, 3451, 3456, 3693, 3693.1, 3695, 3701, 3702, 3704, 3704.7, 3707, 3710, and 3716 of, to add Sections 3692.1, 3692.2, and 3692.3 to, and to repeal Sections 3450, 3453, 3454, 3457, and 3717.5 of, the Revenue and Taxation Code, relating to taxation.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1880—An act to amend Section 24002.5 of the Government Code, and to repeal Sections 218.1 and 5180 of the Revenue and Taxation Code, relating to taxation.

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

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Bill 1707—An act to amend Section 53155 of, and to add Section 53159 to, the Government Code, relating to emergency response costs.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1143—An act to amend and repeal Sections 15819.90 and 15819.95 of, and to repeal Sections 15819.80, 15819.85, and 15819.92 of, the Government Code, relating to veterans.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1651—An act to repeal Chapter 6 (commencing with Section 1320) of Division 6 of the Military and Veterans Code, relating to veterans.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 347—An act to add Section 4158 to the Food and Agricultural Code, relating to district agricultural associations, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 36—Relative to veterans benefits.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 194—Relative to Sexual Assault Awareness Month.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 206—Relative to California Space Day.

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

(NOTE: See Consent Calendar Roll Call)

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution 57—Relative to the 31st anniversary of Roe v. Wade.

Resolution read third time and presented by Senator Karnette.

Roll Call

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

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Perata, Romero, Scott, Sher, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (AJR 66)

Senator Figueroa asked for, and was granted, unanimous consent that AJR 66 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Assembly Joint Resolution 66

Assembly Joint Resolution 66—Relative to Equal Pay Day.

Resolution read.

Roll Call

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

AYES (30)—Senators Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Resolution ordered transmitted to the Assembly

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

Senate Bill 1842—An act to make an appropriation in augmentation of the Budget Act of 2003, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 701—An act to add and repeal Sections 19605.75, 19605.76, 19605.77, and 19605.78 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Johnson.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Margett, McClintock, McPherson, Murray, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (6)—Senators Bowen, Brulte, Hollingsworth, Machado, Morrow, and Oller.

Roll Call

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

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Margett, McClintock, McPherson, Murray, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (6)—Senators Bowen, Brulte, Hollingsworth, Machado, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1482—An act to amend Section 5093.68 of the Public Resources Code, relating to wild and scenic rivers.

Bill read third time and presented by Senator Sher.

Roll Call

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

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1327—An act to add Section 5013.5 to the Public Resources Code, relating to state parks.

Bill read third time and presented by Senator Kuehl.

Roll Call

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

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (ACR 201)

Senator Bowen asked for, and was granted, unanimous consent that ACR 201 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Assembly Concurrent Resolution 201

Assembly Concurrent Resolution 201—Relative to California Earth Day.

Resolution read.

Roll Call

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

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (3)—Senators Aanestad, Ashburn, and Hollingsworth.

Resolution ordered transmitted to the Assembly

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

Assembly Bill 366—An act to amend Sections 1502 and 1522.02 of the Health and Safety Code, relating to care facilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Perata.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Roll Call

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

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Burton:

Senate Chamber, April 22, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(5) in order that all the standing committees may meet and report bills after the April 23rd deadline until April 30, 2004.

SENATOR BURTON

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

JOINT RULE DISPENSED WITH

Without objection, pursuant to Joint Rule 33.1, Joint Rule 61(b)(5) was dispensed with as requested.

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

Senate Bill 1441—An act to add Section 679.05 to the Penal Code, relating to domestic violence.

Bill read third time and presented by Senator Kuehl.

Roll Call

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

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1214—An act to amend Section 2081.7 of the Fish and Game Code, relating to wildlife, and making an appropriation therefor.

Bill read third time and presented by Senator Kuehl.

Roll Call

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

AYES (32)—Senators Ackerman, Alarcón, Alpert, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (2)—Senators Ashburn and Brulte.

Bill ordered transmitted to the Assembly.

Senate Bill 1565—An act to add Section 25324 to the Public Resources Code, relating to energy conservation and development.

Bill read third time and presented by Senator Bowen.

Roll Call

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

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1765—An act to add Chapter 8 (commencing with Section 119400) to Part 15 of Division 104 of the Health and Safety Code, relating to pharmaceutical marketing.

Bill read third time and presented by Senator Sher.

Roll Call

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

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1164—An act to add Sections 2602 and 2603 to the Penal Code, relating to prisoners.

Bill read third time and presented by Senator Romero.

Roll Call

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

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado,

McClintock, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (CONSENT CALENDAR)**

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

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

REQUEST TO DISPENSE WITH JOINT RULE

The following request was presented by Senator Bowen:

Senate Chamber, April 22, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b) in order that SB 1520 may be reported by the Committee on Business and Professions after the deadline.

SENATOR BOWEN

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

JOINT RULE DISPENSED WITH

Without objection, pursuant to Joint Rule 33.1, Joint Rule 61(b) was dispensed with as requested.

**CONSIDERATION OF DAILY FILE (RESUMED)
MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Perata moved that **AB 1729** be placed on the inactive file.

Motion carried.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to a family illness: Senator Vincent.

The following Senators were granted leaves of absence for the day due to illness: Senators Knight and Ortiz.

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

At 9:35 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, April 26, 2004.

Motion carried.

UNANIMOUS CONSENT TO PRINT IN JOURNAL

Without objection, the following letter was printed in the Journal.

April 20, 2004

Members of the California State Legislature

Dear Members:

The Legislature recently approved SCA 1 (Burton), which places a measure on the statewide ballot on the subject of public access to public documents and meetings. There is lingering concern expressed by certain privacy advocates that passage of SCA 1 would create an affirmative duty on the part of state and local government bodies to post all information in their possession on the Internet, including personal information of citizens contained in government files. In response to this concern, the author wishes to clarify that passage of SCA 1 does not in and of itself create an obligation to publish or publicize such information held by government bodies by means of the Internet.

Peace and Friendship,

JOHN BURTON
President pro Tempore
of the Senate

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 22, 2004

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

AB 1787	AB 1907	AB 2027	AB 2388
AB 1801	AB 1928	AB 2074	AB 2505
AB 1814	AB 1929	AB 2085	AB 2518
AB 1818	AB 1930	AB 2129	AB 2581
AB 1826	AB 1937	AB 2164	AB 2639
AB 1848	AB 1951	AB 2172	AB 2711
AB 1851	AB 1953	AB 2355	AB 2795
AB 1894	AB 1971	AB 2363	AB 3031

Assembly Chamber, April 22, 2004

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

AJR 61

AJR 62

AJR 68

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 1787—An act to add Section 9560 to the Vehicle Code, relating to vehicles.

Assembly Bill 1801—An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

Assembly Bill 1814—An act to add Section 487h to the Penal Code, relating to theft.

Assembly Bill 1818—An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

Assembly Bill 1826—An act to amend Section 530.5 of the Penal Code, relating to professional and trade licenses.

Assembly Bill 1848—An act to amend Section 18100.5 of, and to add Sections 18105, 18106, 18107, and 18108 to, the Probate Code, relating to trusts.

Assembly Bill 1851—An act to amend Sections 3412, 3413, 3600, 3601, 3602, 3603, 3604, 3610, 3611, and 3612 of, and to add Section 3613 to, the Probate Code, relating to incapacity.

Assembly Bill 1894—An act to add Section 1536.5 to the Penal Code, relating to business records.

Assembly Bill 1907—An act to amend Section 451.5 of the Penal Code, relating to arson.

Assembly Bill 1928—An act to add and repeal Article 19 (commencing with Section 18881) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1929—An act to amend Section 53270 of the Government Code, relating to firefighters.

Assembly Bill 1930—An act to amend Section 6516.9 of the Government Code, relating to joint exercise of powers.

Assembly Bill 1937—An act to add Section 290.9 to the Penal Code, relating to sex offenders.

Assembly Bill 1951—An act to amend Section 21461 of the Vehicle Code, relating to vehicles.

Assembly Bill 1953—An act to amend Sections 15006 and 15027 of, and to add Section 15027.1 to, of the Insurance Code, relating to public insurance adjusters.

Assembly Bill 1971—An act to amend Section 40720 of the Health and Safety Code, relating to air pollution.

Assembly Bill 2027—An act to amend Section 560 of the Streets and Highways Code, relating to highways.

Assembly Bill 2074—An act to amend Section 4505 of the Food and Agricultural Code, relating to fairs.

Assembly Bill 2085—An act to amend Section 369b of the Penal Code, relating to vehicles.

Assembly Bill 2129—An act to amend Section 10139.5 of the Insurance Code, relating to structured settlements.

Assembly Bill 2164—An act to amend Section 19605.73 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2172—An act to amend Section 280.5 of the Public Utilities Code, relating to telecommunications.

Assembly Bill 2355—An act to amend Section 20536 of the Government Code, relating to public employees' retirement.

Assembly Bill 2363—An act to amend Sections 2982, 2985.8, and 2991 of the Civil Code, relating to automobile sales and leases.

Assembly Bill 2388—An act to amend Section 8670.23 of the Government Code, relating to harbors.

Assembly Bill 2505—An act to amend Section 829 of the Public Utilities Code, relating to public utilities.

Assembly Bill 2518—An act to add Section 5080.29 to the Public Resources Code, relating to state parks.

Assembly Bill 2581—An act to amend Section 65863.7 of the Government Code, relating to mobilehome parks.

Assembly Bill 2639—An act to amend Section 12411 of the Insurance Code, relating to title insurance.

Assembly Bill 2711—An act to add Section 20589 to the Government Code, relating to public employees' retirement.

Assembly Bill 2795—An act to amend Sections 11404, 16051.1, and 16506 of the Welfare and Institutions Code, relating to child welfare services.

Assembly Bill 3031—An act to add Section 61813 to the Food and Agricultural Code, relating to milk.

Assembly Joint Resolution 61—Relative to prescription drugs.

Assembly Joint Resolution 62—Relative to prescription drug costs.

Assembly Joint Resolution 68—Relative to the federal child nutrition programs.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 1052** was referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, April 22, 2004

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

Agriculture and Water Resources—SB 1310.

Governmental Organization—SB 1481.

Committee on Public Safety

Date of Hearing, April 13, 2004

Mr. President: The Committee on Public Safety, to which was referred:
SB 1516

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

McPHERSON, Chair

Above measure ordered to second reading.

Senate Chamber, April 22, 2004

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

SB 1234

SB 1468

SB 1744

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

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1234—An act to amend Section 51.2 of the Civil Code, to amend Sections 200 and 220 of the Education Code, to amend Section 12926 of the Government Code, and to amend Sections 190.03, 422.6, 422.7, 422.75, 594.3, 11410, 11413, 13023, 13515.25, 13519.4, 13519.6 of, to amend and renumber Sections 422.95 1170.75, and 13873 of, to add

Sections 422.77, 422.78, 422.86, 422.91, 422.93, 13519.64, 13519.65 to, to add Chapter 1 (commencing with Section 422.55) to Title 11.6 to Part 1 of, to add a chapter heading to Chapter 2 immediately preceding Section 422.6 of Title 11.6 of Part 1 to, to add Chapter 3 (commencing with Section 422.87) and Chapter 4 (commencing with Section 422.89) to Title 11.6 of Part 1 of, to repeal Sections 422.76, 13870, and 13871 of, and to repeal and add Section 422.9 of, the Penal Code, relating to crimes.

Bill read second time.

Senate Bill 1468—An act to add Chapter 9.8 (commencing with Section 6280) to Title 7 of Part 3 of the Penal Code, relating to corrections.

Bill read second time.

Senate Bill 1744—An act to amend Sections 1305, 1306, and 1308 of, and to repeal Section 1305.4 of, the Penal Code, relating to bail services.

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, April 22, 2004

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

SB 1436 SB 1569 AB 656 AB 1592

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

ESCUZIA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1436—An act to add Chapter 32 (commencing with Section 22947) to Division 8 of the Business and Professions Code, relating to business.

Bill read second time.

Senate Bill 1569—An act to add Section 1393.3 to the Health and Safety Code, relating to health care service plans.

Bill read second time.

Assembly Bill 656—An act to add Section 4001.5 to the Family Code, relating to child support.

Bill read second time.

Assembly Bill 1592—An act to amend Section 14845 of the Government Code, and to amend Sections 999, 999.5, 999.7, 999.9, 999.11, and 999.12 of the Military and Veterans Code, relating to veterans.

Bill read second time.

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

Committee on Rules

State Capitol, April 22, 2004

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 4–0, has re-referred SB 1052 (B&FR) to the Senate Committee on Revenue and Taxation.

BURTON, Chair

Committee on Appropriations

Senate Chamber, April 22, 2004

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

SB 1618

SB 1831

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

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1618—An act to amend Section 226 of the Labor Code, relating to employee compensation.

Bill read second time.

Senate Bill 1831—An act to amend Sections 1623.1, 1624, 1624.05, 1624.1, 2782, 3351, 3692, 3706.1, 3811, 4672, 4672.1, 4986, 5151, and 20583 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

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

Committee on Health and Human Services

April 21, 2004

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

SB 1051

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

ORTIZ, Chair

Above measure ordered to unfinished business.

Date of Hearing, April 21, 2004

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

SB 1540

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 measure re-referred to the Committee on Appropriations.

Date of Hearing, April 21, 2004

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

SB 1630

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, April 21, 2004

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

SB 1539

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

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Banking, Commerce and International Trade

Date of Hearing, April 21, 2004

Mr. President: The Committee on Banking, Commerce and International Trade, to which was referred:

SB 1665

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

FLOREZ, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Health and Human Services

Date of Hearing, April 21, 2004

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

SB 1275 SB 1360 SB 1365 SB 1430
SB 1639 SB 1671 SB 1824

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.

Committee on Environmental Quality

Senate Chamber, April 22, 2004

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

SB 1636

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

SHER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1636—An act to amend Section 25179.6 of the Health and Safety Code, relating to hazardous waste.

Bill read second time.

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

Committee on Transportation

Senate Chamber, April 22, 2004

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

SB 1135

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

MURRAY, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1135—An act to add Section 35401.9 to the Vehicle Code, relating to 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

Date of Hearing, April 13, 2004

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

SB 1201

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

BOWEN, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Senate Chamber, April 22, 2004

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

SB 1481

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

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1481—An act relating to tidelands and submerged lands of the City of Vallejo.

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, April 20, 2004

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

SB 1287

SB 1541

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

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Banking, Commerce and International Trade

Date of Hearing, April 21, 2004

Mr. President: The Committee on Banking, Commerce and International Trade, to which was referred:

SB 1637

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

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, April 22, 2004

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

SB 1348

SB 1802

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

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, April 21, 2004

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

SB 1384

SB 1617

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

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, April 21, 2004

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

SB 1700

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.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 22, 2004

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

SB 1190

SB 1316

SB 1463

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

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Insurance

Date of Hearing, April 21, 2004

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

SB 1158

SB 1555

AB 321

AB 700

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

SPEIER, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Housing and Community Development

Date of Hearing, April 19, 2004

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

SB 1156

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

DUCHENY, Chair

Above measure ordered to second reading.

Date of Hearing, April 19, 2004

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

SB 1328

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

DUCHENY, Chair

Above measure ordered to second reading.

Date of Hearing, April 19, 2004

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

SB 1634

SB 1818

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

DUCHENY, Chair

Above measures ordered to second reading.

Committee on Appropriations

Date of Hearing, April 19, 2004

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

SB 1153

SB 1175

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

ALPERT, Chair

Above measures ordered to second reading.

Committee on Governmental Organization

Date of Hearing, April 20, 2004

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

SB 1261

SB 1452

SB 1757

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

JOHNSON, Vice Chair

Above measures ordered to second reading.

Committee on Health and Human Services

Senate Chamber, April 22, 2004

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

SB 1814

AB 1299

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

Senate Bill 1814—An act to amend Section 12302.21 of the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time.

Assembly Bill 1299—An act to amend Sections 1746 and 1749 of the Health and Safety Code, relating to health facilities.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 20, 2004

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

SB 1488

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

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Public Safety

Senate Chamber, April 22, 2004

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

SB 1848

AB 1240

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

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1848—An act to add and repeal Section 14601.9 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 1240—An act to amend Sections 1522, 1568.09, 1569.17, and 1596.871 of the Health and Safety Code, relating to care facilities.

Bill read second time.

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

Date of Hearing, April 20, 2004

Mr. President: The Committee on Public Safety, to which was referred:
SB 1140

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

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, April 20, 2004

Mr. President: The Committee on Transportation, to which was referred:
SB 1500

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

MURRAY, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Senate Chamber, April 22, 2004

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

SB 1478

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

Senate Bill 1478—An act to amend Sections 25740, 25743, 25744, and 25748 of, and to repeal Sections 25745 and 25749 of, the Public Resources Code, and to amend Sections 387, 399.11, 399.12, 399.13, 399.14, 399.15, and 399.16 of, and to add Section 399.17 to, the Public Utilities Code, relating to energy.

Bill read second time.

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

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1477** was withdrawn from the Committee on Natural Resources and Wildlife and re-referred to the Committee on Appropriations; and

SB 1753 was withdrawn from the Committee on Rules and re-referred to the Committee on Natural Resources and Wildlife.

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

Senate Bill 1136—An act to amend Section 21180 of the Public Contract Code, to amend Sections 12741 and 12742 of the Water Code, and to amend Sections 1, 2, 4, 5, 6, and 41 of, and to add Section 13.3 to, the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the Lake County Flood Control and Water Conservation District.

Bill read third time.

Amendments Adopted

Amendments to SB 1136 proposed by Senator Chesbro were read and adopted and the measure ordered printed, engrossed, and to second reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on April 29:

SCR 66	SB 1840	SB 1260	ACR 115
SB 1085	SCR 50	SB 1610	ACR 121
SB 1170	SCR 53	SB 1626	ACR 131
SB 1183	SCR 64	SB 1775	ACR 135
SB 1708	SCR 69	SB 1604	ACR 139
SB 1777	SCR 70	SB 1695	AB 1454
SB 1778	SB 1142	SB 1654	ACR 104
SB 1823			

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 79: By Senators Scott, Escutia, Karnette, and Ortiz—Relative to American Stroke Month.

SENATE COMMITTEE ROLL CALLS

Committee on Education

SB 1138—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1335—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Denham and McPherson.

NOES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Speier, and Vasconcellos.

Failed passage

SB 1384—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1415—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1448—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

SB 1566—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

SB 1617—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

SB 1700—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1741—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Denham and McPherson.

NOES (4)—Senators Alarcón, Chesbro, Romero, and Vasconcellos.

Failed passage

SB 1785—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alpert, Chesbro, Denham, Karnette, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 4/21/04

Vasconcellos (Chair)

Committee on Education

SB 1190—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1221—Do pass as amended and re-refer to Committee on Rules

AYES (10)—Senators Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1245—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1316—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

SB 1348—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1380—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1405—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1442—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1463—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1502—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Denham, Karnette, McPherson, and Speier.

NOES (1)—Senator Vasconcellos.

Failed passage

SB 1535—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1536—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1591—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1692—Do pass as amended and re-refer to Committee on Health and Human Services

AYES (10)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1798—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1802—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Denham, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

SB 1875—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 4/22/04

Vasconcellos (Chair)

Committee on Health and Human Services

SB 1051—That the Assembly amendments be concurred in

AYES (12)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1275—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, and Ortiz.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

SB 1302—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

SB 1343—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

SB 1358—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Ashburn, Battin, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1359—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Battin, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1360—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Battin, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1365—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Romero.

NOES (2)—Senators Ashburn and Battin.

SB 1430—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Romero.

NOES (0)—None.

SB 1525—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (1)—Senator Ashburn.

SB 1539—Do pass, to Consent Calendar

AYES (12)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1540—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1563—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

SB 1593—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Aanestad, Ashburn, and Battin.

NOES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Romero.

Failed passage

SB 1630—Do pass and re-refer to Committee on Education

AYES (9)—Senators Aanestad, Alarcón, Chesbro, Escutia, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1639—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

SB 1671—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1792—Do pass as amended and re-refer to Committee on Appropriations

AYES (12)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1824—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Romero.

NOES (1)—Senator Battin.

SB 1850—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Ashburn, Battin, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

SB 1897—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

Date of Hearing: 4/21/04

Ortiz (Chair)

Committee on Insurance**SB 1158**—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (3)—Senators Johnson, Morrow, and Oller.

SB 1192—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (3)—Senators Johnson, Morrow, and Oller.

SB 1291—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Escutia, Johnson, Morrow, Oller, Scott, and Soto.

NOES (0)—None.

SB 1555—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (3)—Senators Johnson, Morrow, and Oller.

AB 321—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Escutia, Figueroa, Johnson, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 700—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Escutia, Figueroa, Johnson, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

Date of Hearing: 4/21/04

Speier (Chair)

Committee on Revenue and Taxation

SB 1162—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Ashburn, Cedillo, and Poochigian.

NOES (0)—None.

SB 1179—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Ashburn, Cedillo, and Poochigian.

NOES (0)—None.

SB 1354—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (2)—Senators Ashburn and Poochigian.

SB 1496—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (2)—Senators Ashburn and Poochigian.

SB 1559—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (1)—Senator Ashburn.

SB 1689—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1736—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Alpert and Bowen.

NOES (1)—Senator Ashburn.

Failed passage

SB 1736—Reconsideration granted

AYES (5)—Senators Alpert, Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

Date of Hearing: 4/21/04

Cedillo (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Richard Blamey of Sacramento.

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Sgt. Brian Wood of Torrance.

Senator Burton requested that when the Senate adjourns this day it do so in memory of Susan Kelly Kennedy of San Francisco.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Mario Alvarez of San Diego and First Lt. Oscar Jimenez, USMC of San Diego.

Senator Machado requested that when the Senate adjourns this day it do so in memory of SSgt Jimmy J. Arroyave of Woodland and Antone Raymus of Manteca.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Officer Thomas Steiner of Pomona.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Joseph Fulford of Pacifica.

Senator Vasconcellos requested that when the Senate adjourns this day it do so in memory of Antonio Valenzuela Felix of Sacramento.

Senator Scott requested that when the Senate adjourns this day it do so in memory of Pfc. Eric Ayon of Arleta.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Rhonda Jane Cloud and Noal Jean Collura of Fresno and Karl Hagg, Jr., of Clovis.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Monday, April 26, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, April 26, 2004

The Senate met at 9 a.m.
Hon. Charles Poochigian, of the 14th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian,
Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent—37.

Quorum present.

*(NOTE: Senator Oller will be excused this day on legislative business and
Senators Knight and Sher will be excused this day due to illness.)*

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 26, 2004

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

AB 2212

Assembly Chamber, April 26, 2004

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

AB 366

Assembly Chamber, April 26, 2004

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

ACR 185

ACR 200

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 2212—An act to add Sections 53395.85 and 53395.87 to the Government Code, relating to infrastructure financing.

Assembly Concurrent Resolution 185—Relative to the Petroleum Highway.

Assembly Concurrent Resolution 200—Relative to California Earthquake Preparedness Month.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Concurrent Resolution 80: By Senator Battin—Relative to Armed Forces Month.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, April 22, 2004

Mr. President: The Committee on Rules has examined:

SCR 54

SCR 55

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 22nd day of April, 2004, at 4:45 p.m.

BURTON, Chair

Committee on Labor and Industrial Relations

Senate Chamber, April 26, 2004

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

SB 1191

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

Senate Bill 1191—An act relating to unemployment insurance.

Bill read second time.

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

Committee on Business and Professions

Senate Chamber, April 26, 2004

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

SB 1355

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

Senate Bill 1355—An act to amend Section 1271 of the Business and Professions Code, relating to cytotechnologists.

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, April 20, 2004

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

SB 1391 SB 1484 SB 1522

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

McPHERSON, Chair

Above measures ordered to second reading.

Senate Chamber, April 26, 2004

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

SB 1768

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

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1768—An act amend Sections 6126 and 6129 of the Penal Code, relating to the Inspector General.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 20, 2004

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

SB 1506

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

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1090

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.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1284

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

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, April 20, 2004

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

SB 1269

SB 1475

SB 1568

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

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing, April 21, 2004

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

SB 1179

SB 1496

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

CEDILLO, Chair

Above measures ordered to second reading.

Committee on Insurance

Date of Hearing, April 21, 2004

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

SB 1192

SB 1291

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

SPEIER, Chair

Above measures ordered to second reading.

Committee on Public Safety

Date of Hearing, April 20, 2004

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

SB 1429 SB 1715 SB 1900

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

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Governmental Organization

Senate Chamber, April 26, 2004

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

AB 1642

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

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1642—An act to repeal and add Article 10 (commencing with Section 15372.200) of Chapter 2.2 of Part 6.7 of Division 3 of Title 2 of the Government Code, relating to tourism.

Bill read second time.

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

Committee on Insurance

Senate Chamber, April 26, 2004

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

SB 1495

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

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1495—An act to add Section 758.7 to the Insurance Code, relating to insurance fees.

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, April 26, 2004

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

SB 1630

SB 1817

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

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1630—An act to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of the Education Code, relating to pupils.

Bill read second time.

Senate Bill 1817—An act to amend Sections 70901, 70902, 71090, and 71092 of, to amend, repeal, and add Section 70901.5 of, and to repeal Section 71090.5 of, the Education Code, relating to higher education governance.

Bill read second time.

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

Committee on Transportation

Date of Hearing, April 20, 2004

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

SB 1324

SB 1381

SB 1711

SB 1582

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

MURRAY, Chair

Above measures ordered to second reading.

Committee on Judiciary

Senate Chamber, April 26, 2004

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

SB 1659

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

ESCIUTIA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1659—An act to amend Section 1263.310 of, and to add Section 1263.315 to, the Code of Civil Procedure, and to amend Section 7262 of the Government Code, relating to eminent domain.

Bill read second time.

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

Date of Hearing, April 20, 2004

Mr. President: The Committee on Judiciary, to which was referred:
SB 1722

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

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 20, 2004

Mr. President: The Committee on Public Safety, to which were referred:
SB 1289 SB 1313 SB 1644

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

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Natural Resources and Wildlife

Date of Hearing, April 13, 2004

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

SB 1346

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

KUEHL, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, April 14, 2004

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

SB 1178

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

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Elections and Reapportionment

Date of Hearing, April 21, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SB 1326

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.

PERATA, Chair

Above measure ordered to second reading.

Date of Hearing, April 21, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SB 1438

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

PERATA, Chair

Above measure ordered to second reading.

Date of Hearing, April 21, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SB 1849

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

PERATA, Chair

Above measure ordered to second reading.

Committee on Education

Senate Chamber, April 26, 2004

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

SB 1283

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

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1283—An act to amend Section 44252 of the Education Code, relating to credentials.

Bill read second time.

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

Committee on Insurance

Senate Chamber, April 26, 2004

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

SB 1157

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

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1157—An act to repeal Section 10369.12 of the Insurance Code, relating to health insurance.

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, April 26, 2004

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

SB 1431

SB 1451

SB 1682

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

Senate Bill 1431—An act to add Section 5058.4 to the Penal Code, and to add Section 1752.5 to the Welfare and Institutions Code, relating to corrections.

Bill read second time.

Senate Bill 1451—An act to add Title 1.81.4 (commencing with Section 1798.98) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read second time.

Senate Bill 1682—An act to add Section 1367.4 to the Civil Code, relating to common interest developments.

Bill read second time.

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

Date of Hearing, April 20, 2004

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

SB 1262

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

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, April 19, 2004

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

SB 1089

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

SHER, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Senate Chamber, April 26, 2004

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

SB 1226

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

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1226—An act to add Section 425.10 to the Government Code, relating to state grass.

Bill read second time.

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

Committee on Appropriations

Date of Hearing, April 26, 2004

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

SB 1163

SB 1196

SB 1213

SB 1426

AB 124

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Senate Chamber, April 23, 2004

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

SB 1154	SB 1457	SB 1718	SB 1889
SB 1173	SB 1499	SB 1831	SB 1908
SB 1181	SB 1612	SB 1838	SCR 67
SB 1210	SB 1623	SB 1877	SCR 68
SB 1285	SB 1643	SB 1879	
SB 1301	SB 1681	SB 1881	
SB 1325	SB 1687	SB 1882	

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

ALPERT, Chair

Above measures ordered to second reading.

Committee on Elections and Reapportionment

Date of Hearing, April 21, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SB 1730

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

PERATA, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, April 23, 2004

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

SB 1526

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

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, April 26, 2004

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

AB 782

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended, but first amend, and re-refer to the Committee on Rules.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Local Government

Date of Hearing, April 21, 2004

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

SB 1272 SB 1497 SB 1820

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

TORLAKSON, Chair

Above measures ordered to second reading.

Date of Hearing, April 21, 2004

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

SB 1592

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

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 20, 2004

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

SB 1342

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

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Local Government

Senate Chamber, April 26, 2004

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

SB 1462 SB 1770 AB 723

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1462—An act to add Sections 56161 and 65097 to, and to add Title 7.15 (commencing with Section 66550) to, the Government Code, and to add Section 33327.5 to the Health and Safety Code, relating to regional planning.

Bill read second time.

Senate Bill 1770—An act to add Article 7.4 (commencing with Section 53835) to Chapter 4 of Part 1 of Division 2 of the Government Code, relating to special district indebtedness.

Bill read second time.

Assembly Bill 723—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 measures ordered printed and re-referred to the committee.

Committee on Environmental Quality

Date of Hearing, April 19, 2004

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

SB 1180

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

SHER, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, April 21, 2004

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

SB 1343

SB 1525

SB 1897

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

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, April 13, 2004

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

SB 1624

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

BOWEN, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, April 19, 2004

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

SB 1247

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

SHER, Chair

Above measure ordered to second reading.

Committee on Rules

State Capitol, April 26, 2004

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

Environmental Quality and Transportation—SB 1814.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Bill 1516—An act to amend Sections 3043, 3043.2, and 3043.25 of the Penal Code, relating to parole.

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.

Senate Bill 1539—An act to add Section 1418.05 to the Health and Safety Code, relating to long-term health care facilities.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1201—An act to amend Sections 374 and 701.8 of the Public Utilities Code, relating to electrical restructuring, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Senate Bill 1287—An act to amend Sections 2081.5 and 13012 of, and to add Sections 1016.7, 2057, 2057.5, 2058, and 2058.5 to, the Penal Code, relating to prisoners.

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.

Senate Bill 1541—An act to amend Sections 13352 and 23109 of the Vehicle Code, relating to vehicles.

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.

Senate Bill 1637—An act to amend Sections 253, 261, and 10000 of, to add Article 2 (commencing with Section 1520) to Chapter 12 of Division 1 of, and to repeal Section 1239 of, the Financial Code, relating to financial institutions.

Bill read second time.

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

Senate Bill 1348—An act to add Section 56509 to the Education Code, relating to special education.

Bill read second time.

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

Senate Bill 1802—An act to add Section 48071 to the Education Code, relating to pupils.

Bill read second time.

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

Senate Bill 1156—An act to add Part 4 (commencing with Section 18000) to Division 7 of the Business and Professions Code, relating to business.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1328—An act to amend Sections 65863.10 and 65863.11 of the Government Code, relating to housing.

Bill read second time.

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

Senate Bill 1634—An act to amend Section 17980.6 of, and to add Sections 17967.1 and 17993 to, the Health and Safety Code, and to amend Section 1808.4 of the Vehicle Code, relating to building standards.

Bill read second time.

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

Senate Bill 1175—An act to add Section 81050.5 to the Education Code, relating to community colleges.

Bill read second time.

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

Senate Bill 1818—An act to amend Section 65915 of the Government Code, relating to housing.

Bill read second time.

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

Senate Bill 1261—An act to add Title 17.8 (commencing with Section 99600) to the Government Code, relating to international relations.

Bill read second time.

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

Senate Bill 1452—An act to add Section 10285.6 to the Public Contract Code, relating to public contracts.

Bill read second time.

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

Senate Bill 1757—An act to amend Section 13332.09 of the Government Code, relating to state contracts.

Bill read second time.

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

Senate Bill 1153—An act to amend Section 4181 of the Fish and Game Code, relating to fish and game, 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, engrossed, and to third reading.

Senate Bill 1488—An act to amend Section 583 of the Public Utilities Code, relating to the Public Utilities Commission.

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.

Senate Bill 1140—An act to amend Sections 12021, 12035, 12036, 12071, and 12078 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.

Senate Bill 1500—An act to repeal Sections 11629.84 and 11629.995 of the Insurance Code, and to amend Section 4000.37 of, to amend, repeal, and add Section 4000.38 of, to add Section 16058 to, and to repeal Sections 16020.1 and 16020.2 of, the Vehicle Code, relating to vehicles.

Bill read second time.

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

Senate Bill 1136—An act to amend Section 21180 of the Public Contract Code, to amend Sections 12741 and 12742 of the Water Code, and to amend Sections 1, 2, 4, 5, 6, and 41 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the Lake County Flood Control and Water Conservation District.

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

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing SB 1652 to be heard in the committee on Housing and Community Development and SB 1793 to be heard in the committee on Transportation without the four days notice in the Daily File.

CONSIDERATION OF DAILY FILE RESUMED

CONSENT CALENDAR

Objection Raised

On request of Senator Poochigian **SB 1626** was removed from the Special Consent Calendar.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1193** was withdrawn from the Committee on Education and re-referred to the Committee on Appropriations;

SB 1725 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations;

SB 1814 was withdrawn from the Committee on Housing and Community Development and re-referred to the Committee on Rules;

SB 1632 was withdrawn from the Committee on Rules and re-referred to the Committee on Judiciary; and

AB 1642 was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Rules.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SB 1328** was withdrawn from committee and placed on second reading.

UNANIMOUS CONSENT TO READ BILL SECOND TIME

Without objection SB 1506 will be given its second reading upon being reported.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1506—An act to amend Section 653v of, and to add Section 653aa to the Penal Code, relating to Internet piracy.

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 Public Safety.

SENATE COMMITTEE ROLL CALLS**Committee on Labor and Industrial Relations**

SB 1134—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1204—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Margett, McClintock, and Oller.

NOES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

Failed passage

SB 1204—Reconsideration granted

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1311—Do pass as amended and re-refer to Committee on Judiciary

AYES (3)—Senators Margett, McClintock, and Oller.

NOES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

Failed passage

SB 1311—Reconsideration granted

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1439—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1453—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

SB 1499—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

SB 1521—Do pass

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

SB 1618—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1687—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, and Romero.

NOES (2)—Senators McClintock and Oller.

SB 1829—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Margett, McClintock, and Oller.

NOES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

Failed passage

SB 1829—Reconsideration granted

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1903—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 701—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Romero.

NOES (1)—Senator Oller.

AB 1127—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

AB 1643—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Romero.

NOES (1)—Senator Oller.

Date of Hearing: 4/14/04

Alarcón (Chair)

Committee on Appropriations

SB 1163—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1196—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1213—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1426—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1662—Do pass

AYES (5)—Senators Alpert, Burton, Karnette, Machado, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Escutia, and Poochigian.

Failed passage

SB 1662—Reconsideration granted

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 124—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

Date of Hearing: 4/26/04

Alpert (Chair)

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

Annual report, relating to El Dorado County EMS Fund, FY 2002–03 was received from El Dorado County and transmitted to the Committee on Health and Human Services.

A report dated: January 27, 2004, relating to Well Inventory was received from the Department of Pesticide Regulation and transmitted to the Committee on Agriculture and Water Resources.

Annual report dated: April 8, 2004, relating to Placer County EMS Fund, FY 2002–03 was received from the Nevada County Health and Human Services Agency and transmitted to the Committee on Health and Human Services.

Annual report dated: April 12, 2004, relating to Placer County EMS Fund, FY 2002–03 was received from the Placer County Department of Health and Human Services and transmitted to the Committee on Health and Human Services.

Annual report dated: April 12, 2004, relating to San Benito County EMS Fund, FY 2002–03 was received from the San Benito County Office of Emergency Services and transmitted to the Committee on Health and Human Services.

Annual report dated: April 13, 2004, relating to Humboldt County EMS Fund, FY 2002–03 was received from the Humboldt County Health and Human Services Department and transmitted to the Committee on Health and Human Services.

Annual report dated: April 13, 2004, relating to Alameda County EMS Fund, FY 2002–03 was received from the Alameda County Public Health Department and transmitted to the Committee on Health and Human Services.

A Title and Summary report dated: April 14, 2004, relating to Public Benefits. Eligibility. Payment of Taxes. Initiative Constitutional Amendment was received from Department of Justice and transmitted to the Committee on Rules.

Annual report dated: April 14, 2004, relating to Toulumne County EMS Fund, FY 2002–03 was received from the Toulumne County Clerk & Auditor-Controller and transmitted to the Committee on Health and Human Services.

Annual report dated: April 14, 2004, relating to Yuba County EMS Fund, FY 2002–03 was received from Yuba County and transmitted to the Committee on Health and Human Services.

A Title and Summary report dated: April 14, 2004, relating to School Holiday. Children’s Human Rights. Initiative Statute was received from Department of Justice and transmitted to the Committee on Rules.

Annual report dated: April 15, 2004, relating to Inyo County EMS Fund, FY 2002–03 was received from the Inyo County Health and Humans Services Agency and transmitted to the Committee on Health and Human Services.

Annual report dated: April 15, 2004, relating to San Luis Obispo County EMS Fund, FY 2002–03 was received from the San Luis Obispo County Public Health Agency and transmitted to the Committee on Health and Human Services.

Annual report dated: April 15, 2004, relating to San Diego County EMS Fund, FY 2002–03 was received from the San Diego County Health and Human Services Agency and transmitted to the Committee on Health and Human Services.

A report dated: April 15, 2004, relating to Distributing Energy Resources was received from the Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

A report dated: April 16, 2004 , relating to Child Care Staff Retention was received from the Department of Education and transmitted to the Committee on Education.

A report dated: April 16, 2004, relating to Assessment of Emergency Response on Recommendations, Grand Prix Fire, October 2003, was received from the Cucamonga Valley Water District and transmitted to the Committee on Health and Human Services.

A report dated: April 16, 2004 , relating to the Workforce Investment Act Title II 2002–03 was received from Department of Education and transmitted to the Committee on Education.

Annual report dated: April 19, 2004, relating to the Vehicle Theft Deterrence was received from the California Highway Patrol and transmitted to the Committee on Transportation.

Annual report dated: April 19, 2004, relating to San Mateo County EMS Fund, FY 2002–03 was received from the San Mateo County Health Services Agency and transmitted to the Committee on Health and Human Services.

A Title and Summary report dated: April 20, 2004, relating to Personal Income Taxes. Collection. Procedures. Initiative Statute was received from Department of Justice and transmitted to the Committee on Rules.

LEAVES OF ABSENCE FOR THE DAY

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

The following Senators were granted leaves of absence for the day due to illness: Senators Knight and Sher.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Tuesday, April 27, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, April 27, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,
Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos,
and Vincent—39.

Quorum present.

(NOTE: Senator Knight will be excused this day due to illness.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 26, 2004

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

ACR 214 ACR 215 AJR 73

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Concurrent Resolution 214—Relative to Children’s
Fitness and Nutrition Week 2004.

Assembly Concurrent Resolution 215—Relative to Children's Memorial Day.

Assembly Joint Resolution 73—Relative to the Armenian Genocide.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, April 27, 2004

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

SB 1400

SB 1435

SB 1640

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

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1400—An act to add Chapter 2.5 (commencing with Section 5072) to Title 7 of Part 3 of the Penal Code, relating to corrections.

Bill read second time.

Senate Bill 1435—An act relating to the Oakland Army Base.

Bill read second time.

Senate Bill 1640—An act to add Article 3.2 (commencing with Section 3072) to Chapter 8 of Title 1 of Part 3 of the Penal Code, relating to parole.

Bill read second time.

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

Senate Chamber, April 23, 2004

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

SB 1621

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

ALPERT, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, April 22, 2004

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

SB 1692

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

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Health and Human Services.

Date of Hearing, April 22, 2004

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

SB 1380 SB 1442 SB 1535
SB 1536 SB 1591 SB 1875

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

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, April 22, 2004

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

SB 1221

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Business and Professions

Date of Hearing, April 26, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

SB 1341 SB 1485

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

FIGUEROA, Chair

Above measures ordered to second reading.

Date of Hearing, April 26, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

SB 1691 SB 1853

Reports the same back with the recommendation: Do pass.

FIGUEROA, Chair

Above bills ordered to second reading.

Committee on Rules

Senate Chamber, April 27, 2004

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

SB 1367

SB 1888

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

BURTON, Chair

Second Reading of Bills—Author's Amendments**Senate Bill 1367**—An act relating to child custody.

Bill read second time.

Senate Bill 1888—An act to amend Section 42910 of the Public Resources Code, relating to solid waste.

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

Date of Hearing, April 21, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

SB 1354

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

CEDILLO, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Senate Chamber, April 27, 2004

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

SB 1815

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

DUCHENY, Chair

Second Reading of Bills—Author's Amendments**Senate Bill 1815**—An act to add Section 17951.1 to the Health and Safety Code, relating to building standards.

Bill read second time.

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

Committee on Agriculture and Water Resources

Senate Chamber, April 27, 2004

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

SB 1620

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

Senate Bill 1620—An act relating to water.

Bill read second time.

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

Committee on Business and Professions

Date of Hearing, April 19, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

SB 1336 SB 1363 SB 1735 SB 1865

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 measures ordered to second reading.

Committee on Public Safety

Date of Hearing, April 20, 2004

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

SB 1152 SB 1694

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

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Environmental Quality

Date of Hearing, April 19, 2004

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

SB 1334

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

SHER, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, April 27, 2004

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

AB 656

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 656**—An act relating to trial by jury.

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, April 27, 2004

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

SB 1481

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.

VINCENT, Chair

Above measure re-referred to the Committee on Appropriations.

Senate Chamber, April 27, 2004

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

SB 1837

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

VINCENT, Chair

Above measure ordered filed with the Secretary of the Senate.

Date of Hearing, April 27, 2004

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

SB 1505

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

VINCENT, Chair

Above measure re-referred to the Committee on Rules.

Committee on Environmental Quality

Date of Hearing, April 19, 2004

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

SB 1168

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

SHER, Chair

Above measure ordered to second reading.

Committee on Natural Resources and Wildlife

Date of Hearing, April 27, 2004

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

SB 1567

SB 1742

AB 1701

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.

Committee on Education

Date of Hearing, April 21, 2004

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

SB 1138

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, April 21, 2004

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

SB 1302

SB 1358

SB 1359

SB 1563

SB 1792

SB 1850

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

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Local Government

Senate Chamber, April 27, 2004

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

SB 1404

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1404—An act to add Part 2 (commencing with Section 35000) to Division 2 of Title 4 of the Government Code, relating to multifamily improvement districts.

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, April 27, 2004

Mr. President: The Committee on Public Safety, to which was referred:
SB 1234

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

McPHERSON, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Veterans Affairs

Date of Hearing, April 27, 2004

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

SB 1322

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

MORROW, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Energy, Utilities and Communications

Date of Hearing, April 27, 2004

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

SB 1776

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

BOWEN, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 27, 2004

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

SB 1834

Reports the same back with the recommendation: Do pass.

BOWEN, Chair

Above bill ordered to second reading.

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

Senate Bill 1391—An act to amend Sections 6240 and 6389 of the Family Code, and to amend Section 13700 of the Penal Code, relating to domestic violence.

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.

Senate Bill 1484—An act to amend Sections 290, 647, and 647.7 of the Penal Code, relating to disorderly conduct.

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.

Senate Bill 1522—An act to amend Section 3041 of the Penal Code, relating to parole.

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.

Senate Bill 1346—An act to add Section 4114.3 to the Public Resources Code, relating to natural resources.

Bill read second time.

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

Senate Bill 1178—An act to add Sections 16002.5 and 16004.5 to the Welfare and Institutions Code, relating to dependent children.

Bill read second time.

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

Senate Bill 1326—An act to amend Sections 11007, 11047, and 11102 of the Elections Code, relating to elections.

Bill read second time.

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

Senate Bill 1438—An act to add Article 4 (commencing with Section 19250) to Chapter 3 of Division 19 of the Elections Code, relating to elections.

Bill read second time.

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

Senate Bill 1849—An act to amend Sections 84203, 84204, 84605, 85204, 85309, and 86117 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

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

Senate Bill 1262—An act to amend Sections 17510.3, 17510.4, and 17510.5 of the Business and Professions Code, and to amend Sections 12581, 12582, 12584, 12585, 12586, 12599, and 12599.1 of, and to add Sections 12598.1, 12599.3, 12599.6, 12599.7, and 12599.8 to, the Government Code, relating to charitable organizations.

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.

Senate Bill 1089—An act to add Section 13481.5 to the Water Code, relating to water.

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.

Senate Bill 1163—An act to amend Section 798.38 of the Civil Code and Section 739.5 of the Public Utilities Code, relating to utilities.

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

Senate Bill 1196—An act to amend Section 49557.2 of the Education Code, to amend Section 12693.75 of the Insurance Code, and to amend

Section 14005.41 of the Welfare and Institutions Code, relating to health care coverage.

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

Senate Bill 1213—An act to amend Section 5074 of the Vehicle Code, relating to vehicles.

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

Senate Bill 1426—An act to add Section 5024.5 to the Penal Code, relating to correctional facilities.

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

Senate Bill 1154—An act to add Chapter 23.5 (commencing with Section 22730) to Division 8 of the Business and Professions Code, relating to consumer rebates.

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

Senate Bill 1173—An act to amend Section 22962 of the Business and Professions Code, relating to tobacco products.

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

Senate Bill 1181—An act to add Section 1463 to the Government Code, relating to public officials.

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

Senate Bill 1210—An act to amend Section 217 of, and to add and repeal Sections 217.7, 217.8, and 217.9 to, the Streets and Highways Code, relating to highways.

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

Senate Bill 1285—An act to amend Section 13010.5 of the Penal Code, relating to criminal history reporting.

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

Senate Bill 1301—An act to amend Sections 30504, 30804.7, 31751, and 31751.7 of, to amend and repeal Sections 30503 and 31751.3 of, and to repeal Sections 30526 and 31766 of the Food and Agricultural Code, relating to animals.

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

Senate Bill 1325—An act to amend Section 2282 of the Business and Professions Code, relating to medicine.

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

Senate Bill 1457—An act to amend Sections 17529.1, 17529.5, and 17529.8 of the Business and Professions Code, relating to business.

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

Senate Bill 1499—An act to amend Sections 200 and 1102.8 of, and to add Section 221.5 to, the Labor Code, relating to employment.

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

Senate Bill 1612—An act to amend Section 15200.5 of, and to add Section 11410 to, the Welfare and Institutions Code, relating to foster care.

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

Senate Bill 1623—An act to amend Section 100425 of, to add Sections 100701, 100702, and 100703 to, to repeal Sections 100710, 100715, 100720, 100730, 100735, 100740, 100745, 100750, 100755, 100760, 100765, and 100770 of, and to repeal and add Section 100700 of, the Health and Safety Code, relating to laboratories.

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

Senate Bill 1643—An act to add Section 6718 to the Government Code, relating to state observances.

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

Senate Bill 1681—An act to amend Sections 11775 and 11814 of the Health and Safety Code, relating to alcohol and drug programs.

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

Senate Bill 1687—An act to amend Section 1701 of the Labor Code, relating to employment.

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

Senate Bill 1718—An act to add Section 8572.5 to the Government Code, relating to maritime security.

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

Senate Bill 1831—An act to amend Sections 1623.1, 1624, 1624.05, 1624.1, 2782, 3351, 3692, 3706.1, 3811, 4672, 4672.1, 4986, 5151, and 20583 of the Revenue and Taxation Code, relating to property taxation.

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

Senate Bill 1838—An act to amend Sections 11750, 11751.4, 11754, 11755, 11755.2, 11756, 11757.51, 11757.57, 11757.59, 11757.61, 11758.12, 11758.13, 11758.20, 11758.23, 11758.25, 11758.29, 11758.40, 11758.43, 11758.46, 11759.1, 11759.2, 11759.4, 11760, 11760.1, 11760.2, 11760.3, 11760.4, 11772, 11776, 11778.9, 11781, 11781.5, 11785, 11786, 11795, 11796, 11796.1, 11797, 11798, 11798.1, 11800, 11801, 11802, 11805, 11810, 11811, 11811.1, 11811.3, 11811.5, 11811.6, 11811.7, 11812, 11812.6, 11813, 11814, 11817.1, 11817.3, 11817.4, 11818, 11818.5, 11820, 11820.1, 11825, 11826, 11827, 11828, 11830.5, 11831.5, 11835, 11836, 11837.2, 11837.3, 11837.4, 11837.6, 11837.7, 11837.8, 11837.9, 11838.1, 11840, 11840.1, 11841, and 11860 of, to amend the heading of Article 1 (commencing with Section 11760) of Chapter 1 of Part 2 of Division 10.5 of, to amend the heading of Article 4 (commencing with

Section 11810) of Chapter 4 of Part 2 of Division 10.5 of, to amend the heading of Chapter 3 (commencing with Section 11758.10) of Part 1 of, Division 10.5 of to amend the heading of Chapter 9 (commencing with Section 11836) of Part 2 of Division 10.5 of, to amend the heading of Chapter 2 (commencing with Section 11960) of Part 3 of Division 10.5 of, to amend the headings of Part 2 (commencing with Section 11760) and Part 3 (commencing with Section 11860) of Division 10.5 of, to amend and renumber Sections 11830 and 11831 of, to amend and renumber the headings of Article 4 (commencing with Section 11970.1) and Article 5 (commencing with Section 11970.45) of Chapter 2 of Part 3 of Division 10.5 of, to amend and renumber the heading of Chapter 10 (commencing with Section 11840) of Part 2 of Division 10.5 of, to add Section 11752.1 to, to add Article 2 (commencing with Section 11760.5) to Chapter 1 of Part 2 of Division 10.5 of, to add Chapter 3.5 (commencing with Section 11788), Chapter 10 (commencing with Section 11839), Chapter 12 (commencing with Section 11842), and Chapter 13 (commencing with Section 11847) to Part 2 of Division 10.5 of, to repeal Sections 11755.4, 11755.5, 11756.5, 11757, 11757.55, 11757.62, 11757.63, 11757.65, 11757.66, 11758.27, 11758.33, 11758.41, 11759.5, 11765, 11782, 11814.5, and 11864 of, to repeal Article 2 (commencing with Section 11865), Article 3 (commencing with Section 11875), and Article 4 (commencing with Section 11885) of Chapter 1 of Part 3 of Division 10.5 of, to repeal Article 1 (commencing with Section 11960) and Article 2 (commencing with Section 11965) of Chapter 2 of Part 3 of Division 10.5, to repeal the heading of Chapter 3.3 (commencing with Section 11758.20) of Part 1 of Division 10.5 of, to repeal Chapter 3.5 (commencing with Section 11758.50) of Part 1 of Division 10.5 of, to repeal Chapter 5 (commencing with Section 11759.10) of Part 1 of Division 10.5 of, to repeal Chapter 3 (commencing with Section 11970.5) and Chapter 4 (commencing with Section 11980) of Part 3 of Division 10.5 of, and to repeal and add Sections 11758.10 and 11817.8 of, the Health and Safety Code, relating to alcohol and other drug programs.

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

Senate Bill 1877—An act to amend Sections 533 and 5365 of the Revenue and Taxation Code, relating to taxation.

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

Senate Bill 1879—An act to amend Section 220.5 of the Revenue and Taxation Code, relating to taxation.

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

Senate Bill 1881—An act to amend Sections 6459 and 6480.1 of, to amend and renumber Section 6480.3 of, and to repeal Section 6451.5 of, the Revenue and Taxation Code, relating to taxation.

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

Senate Bill 1882—An act to amend Sections 43152.14, 43201, 43350, 45351, 46156, 46301, 50120.1, 55061, and 55101 of the Revenue and Taxation Code, relating to the State Board of Equalization.

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

Senate Bill 1889—An act to amend Sections 21159.24 and 21167 of the Public Resources Code, relating to environmental protection.

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

Senate Bill 1908—An act to amend Sections 4290 and 4584 of the Public Resources Code, relating to forest resources.

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

Senate Concurrent Resolution 67—Relative to Officer John Pedro Memorial Highway.

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

Senate Concurrent Resolution 68—Relative to John Castro Memorial Interchange.

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

Senate Bill 1730—An act to amend Sections 316, 340, 1000, 1001, 1201, 1202, 6180, and 6952 of the Elections Code, and to amend Section 84200.4 of the Government Code, relating to primary elections.

Bill read second time.

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

Senate Bill 1526—An act to add Section 8588.12 to the Government Code, relating to public resources.

Bill read second time.

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

Senate Bill 1272—An act to amend Section 26909 of, and to add Chapter 7.5 (commencing with Section 60210) to Division 1 of Title 6 of, the Government Code, and to repeal Section 20201 of the Water Code, relating to special districts, and making an appropriation therefor.

Bill read second time.

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

Senate Bill 1497—An act to amend Section 96.1 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Senate Bill 1820—An act to amend Sections 51203, 51243.6, 56738, and 56754 of, and to amend, repeal, and add Section 51243.5 of, the Government Code, relating to land conservation.

Bill read second time.

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

Senate Bill 1592—An act to add Section 65458 to the Government Code, relating to local planning.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Housing and Community Development.

Senate Bill 1342—An act to amend Sections 6125 and 6126 of, and to add Section 6127 to, the Penal Code, relating to the Inspector General.

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.

Senate Bill 1328—An act to amend Sections 65863.10 and 65863.11 of the Government Code, relating to housing.

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

Senate Bill 1090—An act to amend Section 798.71 of the Civil Code, and to amend Sections 18060.5, 18062.2, and 18063 of the Health and Safety Code, relating to manufactured homes and mobilehomes.

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.

Senate Bill 1284—An act to add Section 3025.5 to the Family Code, relating to family law.

Bill read second time.

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

Senate Bill 1269—An act to amend Section 11205 of 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.

Senate Bill 1475—An act to add and repeal Section 368.5 of the Penal Code, relating to elder and dependent adult abuse prevention.

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.

Senate Bill 1568—An act to amend Sections 66633, 66637, 66638, 66639, 66640, and 66641.5 of, and to add Section 66612 to, the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

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.

Senate Bill 1179—An act to amend Section 7073 of the Government Code, relating to enterprise zones.

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.

Senate Bill 1496—An act to amend Sections 1502 and 2117 of the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations.

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.

Senate Bill 1192—An act to amend Section 1367.2 of the Health and Safety Code, and to amend Section 10123.6 of the Insurance Code, relating to health care coverage.

Bill read second time.

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

Senate Bill 1291—An act to add Section 12939 to the Insurance Code, relating to the Insurance Commissioner.

Bill read second time.

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

Senate Bill 1429—An act to amend Sections 13380 and 23612 of the Vehicle Code, relating to vehicles.

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.

Senate Bill 1715—An act to add Article 4.5 (commencing with Section 3150) to Title 1 of Part 3 of the Penal Code, relating to corrections.

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.

Senate Bill 1900—An act to add Section 76104.6 to the Government Code, to amend Section 1405 of, and to add Section 296.3 to, the Penal Code, relating to forensic DNA.

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.

Senate Bill 1324—An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

Bill read second time.

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

Senate Bill 1381—An act to add Sections 885.4, 885.5, and 885.6 to the Streets and Highways Code, relating to transportation.

Bill read second time.

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

Senate Bill 1711—An act to amend Sections 3008 and 3050 of, and to repeal Article 3 (commencing with Section 3052) of Chapter 6 of Division 2 of, the Vehicle Code, relating to vehicles.

Bill read second time.

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

Senate Bill 1582—An act to amend Section 42001 of, and to add Section 23126 to, the Vehicle Code, relating to vehicles.

Bill read second time.

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

Senate Bill 1722—An act to amend Section 25249.7 of the Health and Safety Code, relating to toxic substances.

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 Rules.

Senate Bill 1289—An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

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.

Senate Bill 1313—An act to amend Sections 11165.1, 11165.3, 11165.5, 11165.6, 11165.7, 11165.12, 11166, 11166.05, 11166, 11166.05, 11167, 11167.5, 11170, 11170.5, and 11172 of, to amend and renumber Sections 11166.7, 11166.8, 11166.9, 11166.95, and 11174.4 of, to add an article heading immediately preceding Section 11174.32 to Chapter 2 of Title 1 of Part 4 of, and to repeal Section 11170.6 of, the Penal Code, and to amend Section 16513 of the Welfare and Institutions Code, relating to child abuse reporting.

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.

Senate Bill 1644—An act to add Section 102800.1 to the Health and Safety Code, and to amend Sections 15630 and 15631 of the Welfare and Institutions Code, relating to long-term health care.

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.

Senate Bill 1180—An act to add Article 10.9.1 (commencing with Section 25219.3) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

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.

Senate Bill 1343—An act to add Section 8206.9 to the Education Code, relating to child care and development programs.

Bill read second time.

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

Senate Bill 1525—An act to amend Section 104150 of the Health and Safety Code, and to amend Section 14132 of the Welfare and Institutions Code, relating to health care.

Bill read second time.

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

Senate Bill 1897—An act to add Sections 8203.1, 8203.2, and 8203.6 to the Education Code, relating to child care.

Bill read second time.

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

Senate Bill 1624—An act to amend Section 309.5 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1247—An act to add and repeal Part 4.5 (commencing with Section 42950) of Division 26 of the Health and Safety Code, relating to air pollution.

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 Transportation.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 124—An act to amend Section 17052 of the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 782—An act to add Section 216 to the Family Code, relating to public records.

Bill read second time.

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

BILL WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1500** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Insurance.

SENATE COMMITTEE ROLL CALLS

Committee on Business and Professions

SB 1341—Do pass, to Consent Calendar

AYES (7)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, Murray, and Vincent.

NOES (0)—None.

SB 1355—Do pass as amended

AYES (7)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, Murray, and Vincent.

NOES (0)—None.

SB 1485—Do pass, to Consent Calendar

AYES (7)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, Murray, and Vincent.

NOES (0)—None.

SB 1520—Do pass as amended

AYES (4)—Senators Cedillo, Figueroa, Murray, and Vincent.

NOES (3)—Senators Aanestad, Brulte, and Machado.

SB 1691—Do pass

AYES (7)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, Murray, and Vincent.

NOES (0)—None.

SB 1853—Do pass

AYES (5)—Senators Cedillo, Figueroa, Machado, Murray, and Vincent.

NOES (2)—Senators Aanestad and Brulte.

Date of Hearing: 4/26/04

Figueroa (Chair)

Committee on Energy, Utilities and Communications**SB 1478—Do pass as amended and re-refer to Committee on Appropriations**

AYES (5)—Senators Alarcón, Bowen, Dunn, Sher, and Vasconcellos.

NOES (1)—Senator Morrow.

SB 1776—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Battin, Bowen, Dunn, Morrow, Murray, Sher, and Vasconcellos.

NOES (0)—None.

SB 1834—Do pass

AYES (6)—Senators Alarcón, Bowen, Dunn, Murray, Sher, and Vasconcellos.

NOES (2)—Senators Battin and Morrow.

Date of Hearing: 4/27/04

Bowen (Chair)

Committee on Governmental Organization**SB 1481—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar**

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Machado, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

SB 1505—Do pass and re-refer to Committee on Rules

AYES (7)—Senators Battin, Brulte, Johnson, Machado, Margett, Morrow, and Vincent.

NOES (4)—Senators Cedillo, Dunn, Murray, and Soto.

SB 1524—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Cedillo, Johnson, Machado, Margett, Morrow, Murray, and Vincent.

NOES (2)—Senators Battin and Brulte.

SB 1754—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Battin, Brulte, Cedillo, Chesbro, Johnson, Machado, Margett, Morrow, Soto, and Vincent.

NOES (1)—Senator Dunn.

SB 1758—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Machado, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

SB 1837—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Cedillo, Chesbro, Machado, Murray, Soto, and Vincent.

NOES (6)—Senators Battin, Brulte, Dunn, Johnson, Margett, and Morrow.

Failed Passage

Date of Hearing: 4/27/04

Vincent (Chair)

Committee on Natural Resources and Wildlife

SB 1255—Do pass

AYES (4)—Senators Alpert, Denham, Hollingsworth, and Oller.

NOES (4)—Senators Kuehl, Ortiz, Sher, and Torlakson.

Failed passage

SB 1255—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

SB 1259—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Bowen, Denham, Kuehl, Oller, Sher, and Torlakson.

NOES (1)—Senator Hollingsworth.

SB 1338—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Denham, Hollingsworth, and Oller.

NOES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

Failed passage

SB 1338—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

SB 1567—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

SB 1742—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Sher, and Torlakson.

NOES (0)—None.

AB 1701—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (2)—Senators Hollingsworth and Oller.

Date of Hearing: 4/27/04

Kuehl (Chair)

Committee on Public Safety

SB 1211—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Burton, Romero, and Sher.

NOES (2)—Senators Margett and McPherson.

Failed passage

SB 1211—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1234—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1376—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1468—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1506—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Margett, McPherson, and Vasconcellos.

NOES (0)—None.

SB 1660—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

SB 1737—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Margett, McPherson, and Romero.

NOES (0)—None.

SB 1744—Do pass as amended

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

SB 1794—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

SB 1848—Do pass as amended

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 4/27/04

McPherson (Chair)

Committee on Veterans Affairs**SB 1322**—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Denham, Ducheny, Dunn, Morrow, and Soto.

NOES (0)—None.

SB 1688—Do pass as amended

AYES (6)—Senators Chesbro, Denham, Ducheny, Dunn, Morrow, and Soto.

NOES (0)—None.

Date of Hearing: 4/27/04

Morrow (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, April 28, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, April 28, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—37.

Quorum present.

(NOTE: Senators Aanestad and Florez will be excused this day on legislative business and Senator Knight will be excused this day due to illness.)

REPORTS OF STANDING COMMITTEES Committee on Appropriations

Senate Chamber, April 23, 2004

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

SB 1264

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

ALPERT, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Senate Chamber, April 28, 2004

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

SJR 29

AB 939

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

Senate Joint Resolution 29—Relative to food marketing and advertising directed to children.

Resolution read second time.

Assembly Bill 939—An act to add Section 5781 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

Committee on Judiciary

Date of Hearing, April 27, 2004

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

SB 1451

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

ESCUTIA, Chair

Above measure re-referred to the Committee on Banking, Commerce and International Trade.

Date of Hearing, April 27, 2004

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

SB 1225

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

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, April 28, 2004

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

SB 1189

SB 1375

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

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1189—An act to amend Section 94 of the Streets and Highways Code, relating to transportation.

Bill read second time.

Senate Bill 1375—An act to amend Section 464 of the Streets and Highways Code, relating to transportation.

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, April 28, 2004

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

SB 1833

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

Senate Bill 1833—An act to add Chapter 7 (commencing with Section 945.26) to Title 7 of Part 2 of Division 2 of the Civil Code, relating to construction defects.

Bill read second time.

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

Date of Hearing, April 27, 2004

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

SB 1721

Reports the same back with the recommendation: Do pass.

ESCUTIA, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing, April 27, 2004

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

SB 1135

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

MURRAY, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, April 27, 2004

Mr. President: The Committee on Transportation, to which was referred:
SB 1397

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

MURRAY, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, April 28, 2004

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

SB 1352

SB 1729

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

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1352—An act to amend Section 6126.4 of the Penal Code, relating to the Inspector General.

Bill read second time.

Senate Bill 1729—An act to amend Section 42301 of, and to repeal Sections 42310.3 and 42342 of, the Public Resources Code, relating to solid waste.

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

Date of Hearing, April 28, 2004

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

SB 1462

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

TORLAKSON, Chair

Above measure re-referred to the Committee on Rules.

Senate Chamber, April 28, 2004

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

SB 1166 SB 1514 SB 1773 SB 1905

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1166—An act to add Section 4217 to the Government Code, relating to public works.

Bill read second time.

Senate Bill 1514—An act to add Article 8.5 (commencing with Section 53880) to Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, relating to assessments.

Bill read second time.

Senate Bill 1773—An act to amend Section 65303.4 of the Government Code, relating to general plans.

Bill read second time.

Senate Bill 1905—An act to amend Section 12240 of the Business and Professions Code, and to amend Section 54985 of the Government Code, relating to local government fees.

Bill read second time.

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

Committee on Education

Date of Hearing, April 22, 2004

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

SB 1798

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, April 28, 2004

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

SB 1658 SB 1816

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

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, April 28, 2004

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

SB 1299 SB 1418 SB 1766 SB 1817

Reports the same back with the recommendation: Do pass.

VASCONCELLOS, Chair

Above bills ordered to second reading.

Date of Hearing, April 28, 2004

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

SB 1386

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

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Health and Human Services.

Date of Hearing, April 28, 2004

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

SB 1419 SB 1420 SB 1895

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

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Environmental Quality

Date of Hearing, April 28, 2004

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

AJR 50

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

SHER, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Education

Senate Chamber, April 28, 2004

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

AB 152

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

VASCONCELLOS, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 152—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56329, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56506, 56836.155, and 56863 of, to add Section 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education Code, relating to special education.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 152 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LEVINE

Permission of Rules Committee

Senate Chamber, April 28, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 152.

BURTON, Chair

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

Committee on Health and Human Services

Senate Chamber, April 28, 2004

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

SB 1912

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

Senate Bill 1912—An act to amend Section 16122 of the Welfare and Institutions Code, relating to adoption.

Bill read second time.

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

Committee on Education

Date of Hearing, April 28, 2004

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

SB 1795

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, April 13, 2004

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

SB 1858

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

BOWEN, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, April 21, 2004

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

SB 1415

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.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, April 21, 2004

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

SB 1785

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Resolution 36: By Senators Ackerman, Alpert, Denham, Florez, Knight, McPherson, Morrow, and Oller—Relative to Personalized Learning.

RE-REFERENCE TO COMMITTEE

Without objection, **SB 1875** was re-referred to the Committee on Education.

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

Senate Bill 1621—An act to amend Sections 44325 and 44329 of the Education Code, relating to credentialing.

Bill read second time.

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

Senate Bill 1380—An act to amend Section 60242 of, and to add Section 60200.1 to, the Education Code, relating to instruction, and making an appropriation therefor.

Bill read second time.

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

Senate Bill 1442—An act to add Section 84757.5 to the Education Code, relating to community colleges.

Bill read second time.

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

Senate Bill 1221—An act to amend Section 46010.1 of the Education Code, relating to pupils.

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 Rules.

Senate Bill 1341—An act to amend Section 2290.5 of the Business and Professions Code, relating to healing arts.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1485—An act to amend Sections 2620 and 2622 of the Business and Professions Code, relating to physical therapy.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1691—An act to add Section 2234.1 to the Business and Professions Code, relating to healing arts.

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

Senate Bill 1853—An act to amend Section 4996.9 of the Business and Professions Code, relating to clinical social work.

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

Senate Bill 1354—An act to add Sections 17039.2 and 23036.2 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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.

Senate Bill 1336—An act to add Section 1638.1 to the Business and Professions Code, relating to oral and maxillofacial surgery, and making an appropriation therefor.

Bill read second time.

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

Senate Bill 1363—An act to add Article 3.5 (commencing with Section 17568.5) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, and to amend Section 396 of the Penal Code, relating to advertising.

Bill read second time.

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

Senate Bill 1735—An act to add Sections 12439.5 and 16321 to the Government Code, relating to state offices.

Bill read second time.

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

Senate Bill 1865—An act to amend Sections 1631 and 1632 of, to amend and renumber Section 1632.5 of, and to repeal Sections 1633 and 1633.5 of, the Business and Professions Code, relating to dentistry.

Bill read second time.

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

Senate Bill 1694—An act to amend Sections 23540, 23546, 23550, 23560, 23566, 23622, and 23646 of the Vehicle Code, relating to vehicles.

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.

Senate Bill 1152—An act to amend Sections 12071 and 12316 of, and to add Section 12326 to, the Penal Code, relating to ammunition.

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.

Senate Bill 1334—An act to add Section 21083.4 to, and to add Chapter 8 (commencing with Section 4810) to Part 2.5 of Division 4 of, the Public Resources Code, relating to environmental quality.

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.

Senate Bill 1168—An act to add Chapter 8 (commencing with Section 105440) to Part 5 of Division 103 of the Health and Safety Code, relating to public health, and making an appropriation therefor.

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.

Senate Bill 1138—An act to amend Sections 37700, 37701, 37702, 37703, 37704, 37706, and 37707 of, and to add Section 37700.10 to, the Education Code, relating to school districts.

Bill read second time.

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

Senate Bill 1535—An act to add Section 66025.2 to the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

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

Senate Bill 1536—An act to amend Sections 33126, 44258.9, and 49600 of the Education Code, relating to school personnel.

Bill read second time.

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

Senate Bill 1591—An act to amend Section 52314 of the Education Code, relating to regional occupational programs.

Bill read second time.

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

Senate Bill 1302—An act to amend Sections 111105 and 111140 of the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

Bill read second time.

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

Senate Bill 1358—An act to add Section 12528.1 to the Government Code, relating to Medi-Cal.

Bill read second time.

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

Senate Bill 1359—An act to add Section 14107.13 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

Senate Bill 1563—An act to add Section 4168 to the Business and Professions Code, relating to drug wholesalers and manufacturers.

Bill read second time.

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

Senate Bill 1792—An act to add Section 14105.16 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

Senate Bill 1850—An act to add Section 14131.2 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

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

Senate Bill 1834—An act to add Chapter 22.7 (commencing with Section 22650) to Division 8 of the Business and Professions Code, relating to business.

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

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **SB 1624** was 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 Monday, May 3, 2004:

SB 1626	SB 1285	SB 1877	SCR 67
SB 1156	SB 1612	SB 1879	SCR 68
SB 1175	SB 1643	SB 1881	SB 1526
SB 1426	SB 1681	SB 1882	SB 1621
SB 1181	SB 1831	SB 1889	AB 124
SB 1210	SB 1838	SB 1908	

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1618—An act to add Section 7661 to the Public Utilities Code, relating to railroad corporations, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 1618 proposed by Senator Escutia were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF SENATE BILLS

Senate Bill 1603—An act to amend Sections 20063, 21157, 21251.15, 21408, 21409, 21410, 21424, 22013.7, 22821.2, 75077, 75079, 75091, and 75104.4 of, to amend and renumber Section 20035.5 of, to add Sections 75031.5, 75109.1, 75506.6, and 75611.5 to, and to repeal Sections 21417, 75034.1, and 75094 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to SB 1603 proposed by Senator Soto were read and adopted and the measure ordered printed, engrossed, and to second reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1367** was withdrawn from the Committee on Rules and re-referred to the Committee on Judiciary;

SB 1722 was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations; and

SB 1234 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **AB 782** was withdrawn from Committee and placed on second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Education****SB 1299**—Do pass

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1386—Do pass and re-refer to Committee on Health and Human Services

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator McPherson.

SB 1416—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

SB 1418—Do pass

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1419—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

SB 1420—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

SB 1421—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

SB 1423—Do pass as amended

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1454—Do pass as amended and re-refer to Committee on Appropriations

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1467—Do pass

AYES (5)—Senators Alpert, Chesbro, Denham, McPherson, and Speier.

NOES (1)—Senator Vasconcellos.

Failed Passage

SB 1510—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1517—Do pass as amended, to Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1531—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Karnette.

SB 1630—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

SB 1645—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (2)—Senators Denham and McPherson.

SB 1658—Do pass, to Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1766—Do pass

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1795—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Karnette, Romero, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

SB 1816—Do pass, to Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1817—Do pass

AYES (11)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

SB 1895—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

Date of Hearing: 4/28/04

Vasconcellos (Chair)

Committee on Environmental Quality**SB 1636**—Do pass and re-refer to Committee on Appropriations

AYES (1)—Senator Denham.

NOES (4)—Senators Chesbro, Kuehl, Romero, and Sher.

Failed Passage

SB 1703—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator Denham.

SB 1814—Do pass as amended and re-refer to Committee on Transportation.

AYES (1)—Senator Denham.

NOES (4)—Senators Chesbro, Kuehl, Romero, and Sher.

Failed passage

AJR 50—Be adopted and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Denham, Figueroa, Kuehl, Romero, and Sher.

NOES (0)—None.

Date of Hearing: 4/28/04

Sher (Chair)

Committee on Judiciary**SB 1225**—Do pass as amended, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1407—Do pass as amended

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1431—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1451—Do pass and re-refer to Banking, Commerce and International Trade

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

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

SB 1465—Do pass as amended, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1569—Do pass as amended

AYES (4)—Senators Ducheny, Escutia, Kuehl, and Sher.

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

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

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

SB 1721—Do pass

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

SB 1764—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1819—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1866—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

Failed passage

SB 1866—Reconsideration granted

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

Date of Hearing: 4/27/04

Escutia (Chair)

Committee on Local Government**SB 1462**—Do pass and re-refer to Committee on Rules

AYES (5)—Senators Machado, Margett, Perata, Soto, and Torlakson.

NOES (1)—Senator Hollingsworth.

Date of Hearing: 4/28/04

Torlakson (Chair)

Committee on Transportation**SB 1135**—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Brulte, Figueroa, Florez, Morrow, Murray, Perata, Soto, and Torlakson.

NOES (1)—Senator Speier.

SB 1397—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Figueroa, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

SB 1759—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Ashburn, Brulte, McClintock, Morrow, and Murray.

NOES (3)—Senators Figueroa, Speier, and Torlakson.

Failed passage

SB 1759—Reconsideration granted

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

SB 1793—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Brulte, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (3)—Senators Ashburn, Figueroa, and Soto.

Date of Hearing: 4/27/04

Murray (Chair)

LEAVES OF ABSENCE FOR THE DAY

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

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

REQUESTS TO ADJOURN IN MEMORIAM

Senator McPherson requested that when the Senate adjourns this day it do so in memory of Alex Madonna of San Luis Obispo.

Senator Morrow requested that when the Senate adjourns this day it do so in memory of Major General Sam Byerley (USAF Ret.) of Sacramento.

April 28, 2004

SENATE JOURNAL

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ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 8:30 a.m., Thursday, April 29, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, April 29, 2004

The Senate met at 8:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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:
Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent—32.

Quorum present.

(NOTE: Senators Aanestad, Battin, Cedillo, Hollingsworth, Karnette, and McPherson will be excused this day on legislative business, Senator Knight will be excused this day due to illness, and Senator Soto will be excused this day due to a death in the family.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Spirit, Grant us: The vision and wisdom of the elder she-eagle. The fierce focus of the lioness. The fluid leadership of wild geese. The small creatures' ways of stillness and the devotion of a dearly beloved loyal dog.—AMEN.

(Marcy Tilton, adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

Senate Bill 1264—An act to repeal Section 64.5 of the Harbors and Navigation Code, and to amend Sections 5018.1, 5019.11, 5019.15, 6331.5, and 29777 of, to amend the heading of Chapter 1.77 (commencing with Section 5097.993) of Division 5 of, to amend and renumber Sections 5097.993, 5097.994, 5097.995, and 5097.996 of, and to repeal Sections 6226, 22054, 25689, and 30237 of, the Public Resources Code, relating to natural resources.

Bill read second time.

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

Senate Bill 1225—An act to amend Section 259 of the Code of Civil Procedure, and to amend 71601 of the Government Code, relating to courts.

Bill read second time.

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

Senate Bill 1721—An act to add Section 1799.208 to the Civil Code, relating to consumer contracts.

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

Senate Bill 1397—An act to add Article 4.5 (commencing with Section 40459.5) to Chapter 5.5 of Part 3 of the Health and Safety Code, relating to air pollution.

Bill read second time.

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

Senate Bill 1798—An act to amend Sections 44277 and 51222 of, and to add Sections 33031.5, 54760.2, and 60422.2 to, the Education Code, relating to physical education.

Bill read second time.

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

Senate Bill 1658—An act to amend Section 44251 of the Education Code, relating to school credentials.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1816—An act relating to school employees.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1299—An act to amend Sections 48431.6 and 48431.7 of the Education Code, relating to pupils.

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

Senate Bill 1418—An act to add Article 4 (commencing with Section 40) to Chapter 1 of Part 1 of, and to repeal Section 33080 of, the Education Code, relating to education.

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

Senate Bill 1766—An act to add Section 47605.2 to the Education Code, relating to charter schools.

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

Senate Bill 1817—An act to amend Section 71090 of, and to repeal Section 71090.5 of, the Education Code, relating to higher education governance.

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

Senate Bill 1795—An act to amend, repeal, and add Section 51225.3 of, and to add Sections 63080 and 63081 to, the Education Code, relating to career preparation.

Bill read second time.

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

Senate Bill 1858—An act to add Section 451.5 to the Public Utilities Code, relating to the statewide emergency telephone system.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1603—An act to amend Sections 20610, 21251.15, 21408, 21409, 21410, 21424, 21543, 22013.7, 75077, 75079, 75091, and 75104.4 of, to amend and renumber Section 20035.5 of, to add Sections 75031.5, 75109.1, 75506.6, and 75611.5 to, and to repeal Sections 21417, 75034.1, and 75094 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

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

Senate Bill 1415—An act to add Article 1.5 (commencing with Section 66725) to Chapter 9.2 of Part 40 of the Education Code, relating to postsecondary education.

Bill read second time.

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

Senate Bill 1785—An act to add Section 66739.5 to the Education Code, relating to public postsecondary education.

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.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1618—An act to add Section 7661 to the Public Utilities Code, relating to railroad corporations, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 782—An act to repeal and add Section 2024.5 of, and to add Section 2024.6 to, the Family Code, relating to court records.

Bill read second time and ordered to third reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 79**, **ACR 147**, **ACR 166**, **ACR 169**, **ACR 199**, **ACR 200**, and **ACR 202** were withdrawn from Committee and placed on today's Special Consent Calendar.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator McClintock:

Senate Chamber, April 29, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(5) in order that SB 1505 may be reported by the Committee on Judiciary after the deadline.

SENATOR McCLINTOCK

The following request was presented by Senator Florez:

Senate Chamber, April 29, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(7) in order that the Committee on Banking, Commerce and International Trade may meet after the May 14, 2004 deadline.

SENATOR FLOREZ

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rule 61(b)(5) and (b)(7) be dispensed with as requested.

Resolution read and presented by Senator Johnson.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (27)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Johnson, Kuehl, Machado, Margett, McClintock, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (0)—None.

Senator Bowen Presiding

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

Senate Bill 1177—An act to amend Section 35294.21 of the Education Code, relating to school safety.

Bill read third time and presented by Senator Scott.

Roll Call

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

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, Murray, Ortiz, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Ackerman, Ashburn, Brulte, Denham, Johnson, Margett, McClintock, and Morrow.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS**Consideration of Governor's Appointment**

Senator Burton placed the following Governor's appointment before the Senate:

Jerry R. Jolly, Director, Department of Alcoholic Beverage Control.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (0)—None.

Consideration of Governor's Appointments

Senator Burton placed the following Governor's appointments before the Senate:

Loris "Ryan" Broddrick, Director, Fish and Game Department.

Lester A. Snow, Director of Water Resources.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Burton placed the following Governor's appointment before the Senate:

John C. Duncan, Member, Public Employment Relations Board.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,

Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (0)—None.

Consideration of Assembly Amendments

Senate Bill 1051—An act to amend Sections 2805, 106925, 116180, and 116205 of, to add Section 116112 to, and to repeal Section 116215 of, the Health and Safety Code, relating to vectorborne diseases, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Torlakson.

The question being: Shall the Senate concur in the Assembly amendments to SB 1051?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (29)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Poochigian, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (0)—None.

Roll Call

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

AYES (29)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Poochigian, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (0)—None.

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1208—An act to amend Section 44830 of the Education Code, relating to teachers.

Bill read third time and presented by Senator Vincent.

Roll Call

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

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, Murray, Ortiz, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Ackerman, Ashburn, Brulte, Johnson, Margett, McClintock, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1137—An act to amend Section 22200 of the Education Code, relating to state teachers' retirement.

Bill read third time and presented by Senator Burton.

The roll was called.

CALL OF THE SENATE

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

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1150—An act to add Article 2.5 (commencing with Section 14440) to Chapter 3 of Division 6 of the Business and Professions Code, relating to lenders.

Bill read third time and presented by Senator Burton.

Roll Call

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

AYES (31)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1153—An act to amend Sections 4181 and 13220 of the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (29)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Poochigian, Romero, Scott, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1136—An act to amend Section 21180 of the Public Contract Code, to amend Sections 12741 and 12742 of the Water Code, and to amend Sections 1, 2, 4, 5, 6, and 41 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the Lake County Flood Control and Water Conservation District.

Bill read third time and presented by Senator Chesbro.

Roll Call

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

AYES (31)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Natural Resources and Wildlife to meet immediately following session.

**CONSIDERATION OF DAILY FILE (RESUMED)
FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1137)**

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

Roll Call

The names of the absentees were called and SB 1137 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (8)—Senators Ackerman, Ashburn, Brulte, Denham, Margett, McClintock, Morrow, and Poochigian.

Above bill ordered transmitted to the Assembly.

Senator Alpert Presiding**UNANIMOUS CONSENT TO SUSPEND RULES**

Without objection, Senate Rule 55(c) was waived so that former Senator Pat Johnston may be on the Senate floor.

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

Senate Bill 1301—An act to amend Sections 30504, 30804.7, 31751, and 31751.7 of, to amend and repeal Sections 30503 and 31751.3 of, and to repeal Sections 30526 and 31766 of the Food and Agricultural Code, relating to animals.

Bill read third time and presented by Senator Vincent.

Roll Call

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

AYES (23)—Senators Alarcón, Alpert, Bowen, Brulte, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado,

Margett, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (5)—Senators Ashburn, Denham, McClintock, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1457—An act to amend Sections 17529.1, 17529.5, and 17529.8 of the Business and Professions Code, relating to business.

Bill read third time and presented by Senator Murray.

Roll Call

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

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (5)—Senators Ashburn, Brulte, Denham, McClintock, and Morrow.

Bill ordered transmitted to the Assembly.

Senate Bill 1687—An act to amend Section 1701 of the Labor Code, relating to employment.

Bill read third time and presented by Senator Murray.

Roll Call

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

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, Margett, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (5)—Senators Ashburn, Brulte, Denham, McClintock, and Morrow.

Bill ordered transmitted to the Assembly.

Senate Bill 1623—An act to amend Section 100425 of, to add Sections 100701, 100702, and 100703 to, to repeal Sections 100710, 100715, 100720, 100730, 100735, 100740, 100745, 100750, 100755, 100760, 100765, and 100770 of, and to repeal and add Section 100700 of, the Health and Safety Code, relating to laboratories.

Bill read third time and presented by Senator Johnson.

Roll Call

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

AYES (27)—Senators Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson,

Kuehl, Margett, McClintock, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Chesbro.

Bill ordered transmitted to the Assembly.

Senate Bill 1328—An act to amend Sections 65863.10 and 65863.11 of the Government Code, relating to housing.

Bill read third time and presented by Senator Torlakson.

Roll Call

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

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (9)—Senators Ashburn, Brulte, Denham, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1691—An act to add Section 2234.1 to the Business and Professions Code, relating to healing arts.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

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

AYES (32)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1834—An act to add Chapter 22.7 (commencing with Section 22650) to Division 8 of the Business and Professions Code, relating to business.

Bill read third time and presented by Senator Bowen.

Roll Call

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

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (9)—Senators Ashburn, Brulte, Denham, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1385—An act to amend Section 1107 of the Evidence Code, and to amend Section 1473.5 of the Penal Code, relating to battering.
Bill read third time and presented by Senator Burton.

Roll Call

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

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Ashburn, Brulte, Denham, Johnson, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

CONSENT CALENDAR

Objection Raised

The President ordered that **ACR 104** be removed from the Consent Calendar and placed on the third reading file.

Senate Bill 1146—An act to amend Section 798.25 of the Civil Code, relating to mobilehome parks.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1677—An act to amend Section 13 3/4 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1909—An act to amend Sections 230, 461, 462, 463, 465, 1009, 1058.5, 1257, 10013, 10615, 10825, 10841, 11951, 11952, 11962, 11964, 11981, 11982, 11983, 12921.3, 12929.22, 12947, 13167.5, 13415, 13515, 13523, 13523.1, 13529.2, 13530, 13627, 13952, 14957, 31035, 31144.71, 31145, 31630.5, 31631, 31633, 55335, 71610.5, and 81420 of, and to amend the heading of Chapter 7 (commencing with Section 13500) of Division 7 of, the Water Code, relating to water.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1235—An act to amend Sections 1655, 1685, and 24011 of, and to repeal Section 11705.5 of, of the Vehicle Code, relating to vehicles.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1784—An act to add Section 259 to the Vehicle Code, relating to vehicles.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1539—An act to add Section 1418.05 to the Health and Safety Code, relating to long-term health care facilities.

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

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 79—Relative to American Stroke Month.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 147—Relative to California Holocaust Memorial Week.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 166—Relative to the Day of the Horse.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 169—Relative to Postpartum Mood and Anxiety Disorder Awareness Month.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 199—Relative to Disaster Resistance Week.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 200—Relative to California Earthquake Preparedness Month.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 202—Relative to libraries.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 66—Relative to California Western Monarch Day.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1085—An act to amend Sections 21464 and 42001 of the Vehicle Code, relating to vehicles.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1170—An act to amend Section 14105.45 of the Welfare and Institutions Code, relating to Medi-Cal.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1183—An act to amend Section 19596 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1708—An act to repeal Section 7555 of the Penal Code, relating to medical testing of prisoners.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1777—An act to amend Sections 50451, 50452, and 50453 of, and to repeal Section 50524 of, the Health and Safety Code, relating to the statewide housing plan.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1778—An act to amend Section 18021.7 of the Health and Safety Code, relating to mobilehomes.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1823—An act to amend Sections 7072, 7073, 7073.8, 7073.9, 7074, 7075, 7076, 7076.1, 7076.2, 7081, 7085, 7085.5, and 7086 of the Government Code, relating to economic development.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1840—An act to amend Sections 9904, 9910, 9912, 9932, 9941, 9942, 9943, 9944, 9971, 9972, 9973, 9974, 9975, 9976, 9977, 9978, 9979, 9980, 9981, 9982, 10003, 10006, 10061, 10062, 10063, 10064, 10065, 10066, 10067, 10068, 10103, and 10151 of, to amend the headings

of Article 3 (commencing with Section 9941) and Article 4 (commencing with Section 9971 of Chapter 2 of Part 2 of Division 5 of, to add Sections 9914, 9933, and 10100 to, to repeal Sections 9905, 9906, 9911, 10002, 10004, 10005, 10008, 10009, 10071, 10104, and 10105 of, to repeal Article 6 (commencing with Section 10031), Article 8 (commencing with Section 10081), and Article 10 (commencing with Section 10131) of Chapter 2 of Part 2 of Division 5 of, and to repeal and add Sections 9907, 10004, 10007, 10101, and 10102 of, the Food and Agricultural Code, relating to diseased animals.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 50—Relative to CHP Officer David W. Manning Memorial Freeway.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 53—Relative to the Firefighter Steven Rucker Memorial Highway.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 64—Relative to the Fire Chief F.S. “Pete” Pedroza Memorial Highway.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 69—Relative to the Everett and Louella Thomas Memorial Highway.

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

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 70—Relative to the Victor V. Veysey Expressway.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1142—An act to amend Sections 37700 and 37706 of the Education Code, relating to school districts.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1260—An act to amend Sections 31492 and 31492.1 of, and to add Section 31760.5 to, the Government Code, relating to county employees’ retirement.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1610—An act to amend Section 50781 of the Health and Safety Code, relating to mobilehome parks, and making an appropriation therefor.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1775—An act to amend Sections 4450 and 4454 of the Government Code, relating to disability access, and making an appropriation therefor.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1604—An act to amend Sections 6047.60, 6047.63, 6047.64, 6047.68, 6047.69, 6047.70, 6047.74, 6047.76, 6047.77, 6047.78, 6047.79, 6047.80, 6047.82, 6047.87, 6047.88, 6047.89, 6047.94, 6047.96, 6047.97, 6047.101, 6047.105, 6047.109, 6047.112, 6047.113, 6047.118, 6047.124 of, and to repeal Section 6047.93 of, the Food and Agricultural Code, relating to pest control, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1695—An act to amend Section 23646 of the Vehicle Code, relating to vehicles.

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

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1654—An act to amend Section 8592.1 of, and to add Section 8592.6 to, the Government Code, relating to public safety.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 115—Relative to the Inspector Raymond J. Giacomelli Memorial Overcrossing.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 121—Relative to the Semper Fi Highway.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 131—Relative to the William Alexander Leidesdorff, Jr. Memorial Highway.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 135—Relative to the Deputy Sheriff Stephen Sorensen Memorial Highway.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 139—Relative to the Charles R. Drew University of Medicine and Science.

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

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1454—An act to add and repeal Section 116183 of the Health and Safety Code, relating to the public health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (32)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

April 29, 2004

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

SB 1687—Aye

JOHN L BURTON, President pro Tempore

April 29, 2004

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

SB 1301—Aye

SB 1457—No

SB 1687—No

SB 1623—Aye

SB 1328—No

SB 1834—No

SB 1385—No

JAMES L BRULTE, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Aanestad, Battin, Cedillo, Hollingsworth, Karnette, and McPherson.

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

The following Senator was granted leave of absence for the day due to a death in the family: Senator Soto.

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

At 9:54 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, May 3, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 29, 2004

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

SB 753

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

Above measure ordered to unfinished business file.

Assembly Chamber, April 29, 2004

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

SCR 35 SCR 45 SCR 46 SCR 73

Above resolutions ordered enrolled.

Assembly Chamber, April 29, 2004

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

AJR 57

Assembly Chamber, April 29, 2004

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

AB 1799	AB 2182	AB 2318	AB 2734
AB 1881	AB 2189	AB 2342	AB 2886
AB 1887	AB 2237	AB 2458	AB 3018
AB 1908	AB 2292	AB 2568	AB 3050
AB 2012	AB 2312	AB 2586	
AB 2015	AB 2313	AB 2687	
AB 2139	AB 2317	AB 2721	

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 1799—An act to amend Sections 18761 and 18766 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1881—An act to amend Sections 18986.86 and 18986.87 of, and to repeal Section 18986.88 of, the Welfare and Institutions Code, relating to health and human services.

Assembly Bill 1887—An act to amend Section 13534 of the Business and Professions Code, relating to motor fuel advertising.

Assembly Bill 1908—An act to amend Sections 31053 and 31054 of the Water Code, relating to water.

Assembly Bill 2012—An act to amend Section 1808.4 of the Vehicle Code, relating to the Department of Motor Vehicles.

Assembly Bill 2015—An act to amend Section 56341 of the Education Code, relating to special education.

Assembly Bill 2139—An act to amend Sections 27315, 27360, 27360.5, 27361, 27362, and 27365 of the Vehicle Code, relating to vehicles.

Assembly Bill 2182—An act to amend Section 6929 of the Family Code, relating to minors.

Assembly Bill 2189—An act to amend Section 22446.5 of, and to add Section 22443.4 to, the Business and Professions Code, relating to immigration consultants.

Assembly Bill 2237—An act to amend Section 22348 of the Vehicles Code, relating to vehicles.

Assembly Bill 2292—An act to add Section 3105 to the Family Code, and to add Section 1602 to the Probate Code, relating to visitation.

Assembly Bill 2312—An act to add Section 13082 to the Financial Code, relating to point-of-sale devices.

Assembly Bill 2313—An act to amend Section 130311.5 of the Health and Safety Code, relating to medical information.

Assembly Bill 2317—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

Assembly Bill 2318—An act to add Section 36525 to the Government Code, relating to cities.

Assembly Bill 2342—An act to add Section 116365.2 to the Health and Safety Code, relating to drinking water.

Assembly Bill 2458—An act to amend Section 11202 of the Vehicle Code, relating to vehicles.

Assembly Bill 2568—An act to amend Section 97.1 of the Streets and Highways Code, and to add and repeal Section 42010 to the Vehicle Code, relating to vehicles.

Assembly Bill 2586—An act to add and repeal Section 4019.1 to the Penal Code, relating to prisoners.

Assembly Bill 2687—An act to amend Sections 58, 7601, 7602, 7603, 7620, 7622, 7660, 7661, and 7666 of the Probate Code, and Section 4986.6 of the Revenue and Tax Code, relating to public administrators.

Assembly Bill 2721—An act to amend Section 97.1 of the Streets and Highways Code, and to add and repeal Section 42010 of the Vehicle Code, relating to highways.

Assembly Bill 2734—An act to repeal Section 1007 of the Fox Canyon Groundwater Management Agency Act (Chapter 1023 of the Statutes of 1982), relating to the Fox Canyon Groundwater Management Agency, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2886—An act to add and repeal Article 14.5 (commencing with Section 18856) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 3018—An act to add Section 14000.5 to, and to repeal Section 15035 of, the Unemployment Insurance Code, relating to unemployment insurance.

Assembly Bill 3050—An act to amend Section 188.10 of the Streets and Highways Code, relating to transportation.

REPORTS OF STANDING COMMITTEES
Committee on Natural Resources and Wildlife

Date of Hearing, April 27, 2004

Madam President: The Committee on Natural Resources and Wildlife, to which was referred:

SB 1259

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

KUEHL, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, April 29, 2004

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

AB 434

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

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 434—An act relating to parks.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 434 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HANCOCK

Permission of Rules Committee

Senate Chamber, April 29, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 434.

BURTON, Chair

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

Committee on Agriculture and Water Resources

Date of Hearing, April 28, 2004

Madam President: The Committee on Agriculture and Water Resources, to which was referred:

SB 1310

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

MACHADO, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Transportation

Senate Chamber, April 29, 2004

Madam President: The Chair of the Committee on Transportation, to which was referred:

SB 1614

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

MURRAY, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1614—An act to add Division 19 (commencing with Section 40000) to the Streets and Highways Code, relating to motor vehicle fuel.

Bill read second time.

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

Committee on Appropriations

Date of Hearing, April 19, 2004

Madam President: The Committee on Appropriations, to which was referred:

SB 1601

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

ALPERT, Chair

Above measure ordered to second reading.

Committee on Rules

Date of Hearing, April 28, 2004

Madam President: The Committee on Rules, to which was referred:

SB 1597

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

BURTON, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Judiciary

Senate Chamber, April 29, 2004

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

SB 1357 SB 1406 SB 1682 AB 1707

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

ESCUZIA, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1357—An act to amend Sections 8502, and 8616.5 of, and to add Sections 7660.5 and 7907.5 to, the Family Code, and to amend Sections 293 and 827 of, and to amend and renumber Section 18965 of, the Welfare and Institutions Code, relating to minors.

Bill read second time.

Senate Bill 1406—An act to amend Section 25118 of the Corporations Code, relating to usury.

Bill read second time.

Senate Bill 1682—An act to amend Section 1365.1 and 1367.1, and to add Section 1367.4 to, the Civil Code, and to amend Section 703.010 of, and to add Sections 704.725 and 729.035 to, the Code of Civil Procedure, relating to common interest developments.

Bill read second time.

Assembly Bill 1707—An act to amend Section 54.3 of the Civil Code, relating to civil rights.

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, April 29, 2004

Madam President: The Chair of the Committee on Revenue and Taxation, to which was referred:

SB 1876

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

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1876—An act to amend Sections 17039, 23036, and 25128 of, to add Section 25117 to, to add and repeal Sections 17053.77 and 23622.77 of, to repeal Sections 17053.34, 17053.46, 17053.47, 17053.74, 17053.75, 23622.7, 23622.8, 23634, and 23646 of, and to repeal Article 1.5 (commencing with Section 25110) of Chapter 17 of Part 10 of Division 2 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 measure ordered printed and re-referred to the committee.

Committee on Labor and Industrial Relations

Date of Hearing, April 28, 2004

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

SB 1191

Reports the same back with the recommendation: Do pass.

ALARCÓN, Chair

Above bill ordered to second reading.

Date of Hearing, April 28, 2004

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

SB 1492

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

ALARCÓN, Chair

Above measure re-referred to the Committee on Banking, Commerce and International Trade.

Date of Hearing, April 28, 2004

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

SB 1511

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

ALARCÓN, Chair

Above measure ordered to second reading.

Date of Hearing, April 28, 2004

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

SB 1646

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

ALARCÓN, Chair

Above measure ordered to second reading.

Committee on Rules

State Capitol, April 28, 2004

Madam 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:

P. Michael Chrisman, Secretary, Resources Agency (3-0)

Terrence A. Tamminen, Secretary, Environmental Protection Agency (3-0)

Patrick Johnston, Member, California Bay-Delta Authority (3-0)

James W. Barthman, Member State Building Standards Commission (3-0)

Mimi H. Silbert, Ph.D., Member, Board of Corrections (3-0)

Clint Eastwood, Member, State Park and Recreation Commission (3-0)

Gail E. Kautz, Member, State Park and Recreation Commission (3-0)

Sophia D. Scherman, Member, State Park and Recreation Commission (3-0)

Robert S. Shriver, Member, State Park and Recreation Commission (3-0)

Gunnar Lundeberg, Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun (3-0)

BURTON, Chair

Above appointments ordered placed on unfinished business file.

Committee on Education

Date of Hearing, April 21, 2004

Madam President: The Committee on Education, to which was referred: SB 1566

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

VASCONCELLOS, Chair

Above measure ordered to second reading.

Senate Chamber, April 29, 2004

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

SB 1467

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

VASCONCELLOS, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Health and Human Services

Date of Hearing, April 29, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

SB 1815

Reports the same back with the recommendation: Do pass.

ORTIZ, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, April 29, 2004

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

SB 1215

SB 1516

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

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1215—An act to add Section 712.5 to the Fish and Game Code, relating to wildlife resources.

Bill read second time.

Senate Bill 1516—An act to amend Sections 3043, 3043.2, and 3043.25 of the Penal Code, relating to parole.

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, April 29, 2004

Madam President: The Chair of the Committee on Environmental Quality, to which was referred:

SB 1884

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

SHER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1884—An act to amend Section 42231 of the Public Resources Code, relating to solid waste.

Bill read second time.

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

Committee on Health and Human Services

Senate Chamber, April 29, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1373

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 1373—An act to add Section 9306 to the Welfare and Institutions Code, relating to seniors.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1373 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DAUCHER

Permission of Rules Committee

Senate Chamber, April 29, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1373.

BURTON, Chair

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

Committee on Local Government

Senate Chamber, April 29, 2004

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

SB 1266

SB 1607

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

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1266—An act to amend Sections 56375 and 56375.3 of the Government Code, relating to annexation.

Bill read second time.

Senate Bill 1607—An act to add Section 56426.1 to the Government Code, relating to local agency formation.

Bill read second time.

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

Committee on Banking, Commerce and International Trade

Date of Hearing, April 29, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which was referred:

SB 1916

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

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 27, 2004

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

SB 1744

SB 1848

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

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Judiciary

Senate Chamber, April 29, 2004

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

SB 1306

SB 1633

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

Senate Bill 1306—An act to amend Sections 8, 195, 307, 314, 600, 601, 603, 1500, 1501, 5079, 5211, 5215, 5510, 5511, 5513, 6320, 6321, 6322, 7211, 7215, 7510, 7511, 7513, 8320, 8321, 8322, 9211, 9215, 9411, 9413, 9510, 12254, 12351, 12355, 12460, 12461, 12463, 12590, 12591, 12592, 16101, 16403, 17001, 17058, 17104, and 17106 of, and to add Sections 20 and 21 to, the Corporations Code, relating to business organizations.

Bill read second time.

Senate Bill 1633—An act to add Title 1.81.25 (commencing with Section 1798.91) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read second time.

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

Date of Hearing, April 27, 2004

Madam President: The Committee on Judiciary, to which was referred:
SB 1569

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

Above measure ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, April 29, 2004

Madam President: The Chair of the Committee on Revenue and
Taxation, to which was referred:

AB 990

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

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 990—An act to add Article 2.7 (commencing with
Section 12025) to Chapter 1 of Part 2 of Division 3 of Title 2 of the
Government Code, relating to state government.

Bill read second time.

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

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1462** was withdrawn from the Committee on
Rules and re-referred to the Committee on Appropriations;

SB 1505 was withdrawn from the Committee on Rules and re-referred
to the Committee on Judiciary; and

AB 1281 was withdrawn from the Committee on Appropriations and
re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1464—An act to amend Section 38083 of the Education
Code, relating to public schools.

Bill read third time.

Amendments Adopted

Amendments to SB 1464 proposed by Senator Karnette were read and
adopted and the measure ordered printed, engrossed, and to second
reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 1618** was referred to the Committee on
Appropriations.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

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

Senate Resolution 37: By Senator Johnson—Relative to Rule 23 of the Standing Rules of the Senate for the 2003–04 Regular Session.

SENATE COMMITTEE ROLL CALLS**Committee on Agriculture and Water Resources**

SB 1155—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alpert, Bowen, Ducheny, Kuehl, Machado, Perata, Poochigian, and Torlakson.

NOES (0)—None.

SB 1310—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Denham, Ducheny, Hollingsworth, Machado, Margett, Poochigian, and Torlakson.

NOES (3)—Senators Bowen, Kuehl, and Perata.

SB 1425—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Bowen, Ducheny, Kuehl, Machado, Perata, and Torlakson.

NOES (4)—Senators Denham, Hollingsworth, Margett, and Poochigian.

Date of Hearing: 4/28/04

Machado (Chair)

Committee on Banking, Commerce and International Trade

SB 1916—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Ducheny, Dunn, Florez, Murray, and Perata.

NOES (2)—Senators Denham and McClintock.

Date of Hearing: 4/29/04

Florez (Chair)

Committee on Health and Human Services

SB 1509—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Chesbro, Escutia, Kuehl, Ortiz, Romero, and Vincent.

NOES (1)—Senator Ashburn.

SB 1692—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Ashburn, Chesbro, Figueroa, Kuehl, Romero, and Vincent.

NOES (1)—Senator Ortiz.

Date of Hearing: 4/28/04

Ortiz (Chair)

Committee on Housing and Community Development

SB 1592—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Ducheny, Dunn, Florez, and Torlakson.

NOES (1)—Senator Ackerman.

SB 1652—Do pass as amended

AYES (5)—Senators Alarcón, Ducheny, Dunn, Florez, and Torlakson.

NOES (1)—Senator Ackerman.

SB 1815—Do pass

AYES (6)—Senators Ackerman, Alarcón, Ducheny, Dunn, Florez, and Torlakson.

NOES (0)—None.

Date of Hearing: 4/29/04

Ducheny (Chair)

Committee on Labor and Industrial Relations

SB 1191—Do pass

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, Oller, and Romero.

NOES (0)—None.

SB 1222—Do pass and re-refer to Committee on Public Safety

AYES (3)—Senators Margett, McClintock, and Oller.

NOES (2)—Senators Kuehl and Romero.

Failed passage

SB 1222—Reconsideration granted

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1492—Do pass and re-refer to Committee on Banking, Commerce and International Trade

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

SB 1511—Do pass as amended

AYES (5)—Senators Dunn, Figueroa, Kuehl, Margett, and Oller.

NOES (1)—Senator McClintock.

SB 1538—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

SB 1646—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1809—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Romero.

NOES (1)—Senator Oller.

SB 1861—Do pass and re-refer to Committee on Judiciary

AYES (3)—Senators Margett, McClintock, and Oller.

NOES (4)—Senators Alarcón, Dunn, Kuehl, and Romero.

Failed passage

SB 1861—Reconsideration granted

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

SB 1901—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

Date of Hearing: 4/28/04

Alarcón (Chair)

Committee on Natural Resources and Wildlife

SB 1753—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Denham, Kuehl, Oller, Sher, and Torlakson.

NOES (0)—None.

Date of Hearing: 4/29/04

Kuehl (Chair)

Committee on Rules

SB 1597—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Burton, Johnson, and Karnette.

NOES (0)—None.

Date of Hearing: 4/28/04

Burton (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Mickey Crumpton of Watsonville.

Senators Burton and Chesbro requested that when the Senate adjourns this day it do so in memory of Vicki Quesada sister of Senator Nell Soto.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Sandra Chioppe of Farmington.

Senator Romero requested that when the Senate adjourns this day it do so in memory of Leroy Harris-Kelly, III of Azusa.

Senator Sher requested that when the Senate adjourns this day it do so in memory of Judge James W. Stewart of Palo Alto.

Senator Vincent requested that when the Senate adjourns this day it do so in memory of Larry McConnell of Sacramento.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 10:30 a.m., Monday, May 3, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, May 3, 2004

The Senate met at 10:30 a.m.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent—36.

Quorum present.

(NOTE: Senator Florez will be excused this day on legislative business, Senator Figueroa will be excused this day due to a family illness, Senator Knight will be excused this day due to illness, and Senator Soto will be excused this day due to a death in the family.)

PRAYER

Upon invitation of the President, the following prayer was offered by Rev. Deacon David Lehman of St. Mel's Parish, Fair Oaks:

Almighty God, As we gather to discuss and work towards a better California for all people, grant us the guidance, the strength and perseverance to continue to serve You in all we do and say.

We ask Your blessing on all who serve the people of California. Bless our state and our country. And bless in a special way all those who serve to protect both home and abroad.

Lord, we humbly submit our lives and prayers to You.—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MESSAGE FROM THE GOVERNOR

Governor's Office, State Capitol
May 3, 2004

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment heretofore made by me to an office which by law is to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Craig B. Grivette, formerly Deputy Secretary for Enterprise Business Technology at the Business, Transportation and Housing Agency. Appointed 3/1/04. Effective 3/2/04:

Director, Stephen P. Teale Data Center vice Carlos Ramos, resigned, term ending at the pleasure of the Governor.

Above appointment referred to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, April 29, 2004

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

AB 1865	AB 2160	AB 2492	AB 2820
AB 1870	AB 2161	AB 2527	AB 2927
AB 1889	AB 2171	AB 2528	AB 3048
AB 1934	AB 2226	AB 2531	AB 3073
AB 1955	AB 2257	AB 2552	AB 3089
AB 1956	AB 2304	AB 2615	AB 3099
AB 1997	AB 2358	AB 2660	AB 3100
AB 2008	AB 2390	AB 2719	
AB 2014	AB 2401	AB 2776	
AB 2026	AB 2409	AB 2807	

Assembly Chamber, April 29, 2004

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

ACR 142	ACR 163	ACR 180	AJR 56
ACR 145	ACR 171	ACR 182	AJR 72
ACR 156	ACR 177	ACR 189	
ACR 162	ACR 179	ACR 220	

Assembly Chamber, May 3, 2004

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

SCR 74

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

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered to unfinished business file.

FIRST READING OF ASSEMBLY MEASURES

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

Assembly Bill 1865—An act to add Section 3069 to the Penal Code, relating to parole.

Assembly Bill 1870—An act to amend Sections 17314, 17314.1, 17332, and 17345.1 of the Financial Code, relating to financial institutions.

Assembly Bill 1889—An act to repeal Section 367.7 of the Public Utilities Code, relating to electrical restructuring.

Assembly Bill 1934—An act to amend Section 115825 of, and to add Section 115843 to, the Health and Safety Code, relating to drinking water.

Assembly Bill 1955—An act to add Section 1140.1 to the Insurance Code, relating to life insurance.

Assembly Bill 1956—An act to amend the heading of Chapter 2.8 (commencing with Section 1001.20) of Title 6 of Part 2 of, and to amend Sections 1001.20, 1001.21, 1001.22, and 1001.23 of, the Penal Code, relating to diversion.

Assembly Bill 1997—An act to amend Sections 66025.6, 69750.3, 69750.5, and 69751 of, and to add Section 69751.8 to, the Education Code, relating to postsecondary education.

Assembly Bill 2008—An act to amend Section 2883 of the Business and Professions Code, relating to nursing.

Assembly Bill 2014—An act to amend Sections 14252 and 14703 of, and to repeal Division 18 (commencing with Section 40000) of, the Financial Code, relating to financial institutions.

Assembly Bill 2026—An act to amend Section 18987.5 of the Welfare and Institutions Code, relating to children, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2160—An act to add Section 11055 to the Penal Code, relating to foreign prosecution.

Assembly Bill 2161—An act to amend Sections 10136, 10138, 10139, and 10139.5 of the Insurance Code, relating to structured settlements.

Assembly Bill 2171—An act to amend Section 44265.10 of the Education Code, relating to teacher credentialing, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2226—An act to amend Section 2835.5 of the Business and Professions Code, relating to nursing.

Assembly Bill 2257—An act to amend Sections 77225, 77226, 77229, 77230, 77251, 77252, 77253, 77254, 77255, 77258, 77262, 77264, 77265, 77285, 77289, 77296, 77297, 77298, 77311, 77312, 77313, 77314, 77316, 77317, 77318, 77319, 77320, 77331, 77332, 77333, 77352, 77371, 77373, 77374 of, and to add Section 77260.5 to, the Food and Agricultural Code, relating to the California Pepper Commission.

Assembly Bill 2304—An act to repeal Section 43024 of the Health and Safety Code, and to amend Sections 25748 and 25751 of, and to repeal Chapter 7.2 (commencing with Section 25625) of Division 15 of, the Public Resources Code, relating to energy resources, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2358—An act to amend Sections 5204 and 5220 of the Family Code, relating to child support.

Assembly Bill 2390—An act to amend Sections 1657 and 1800 of the Business and Professions Code, relating to the healing arts.

Assembly Bill 2401—An act to amend Section 13146.1 of, and to add Sections 12606.1, 13188.4, and 13197.6 to, the Health and Safety Code, relating to fire protection.

Assembly Bill 2409—An act to add Section 1261.6 to the Business and Professions Code, relating to clinical laboratory scientists.

Assembly Bill 2492—An act to amend Section 8811.5 of the Family Code, relating to adoption.

Assembly Bill 2527—An act to amend Section 290 of the Penal Code, relating to sex offender registration.

Assembly Bill 2528—An act to repeal and add Section 116455 of the Health and Safety Code, relating to public water systems.

Assembly Bill 2531—An act to amend Sections 11165.7 and 11166.5 of the Penal Code, relating to child abuse reporting.

Assembly Bill 2552—An act to amend Sections 4980.02, 4980.43, 4980.44, and 4987.7 of, to amend the heading of Chapter 13 (commencing with Section 4980) of Division 2 of, and to amend the heading of Article 6 (commencing with Section 4987.5) of Chapter 13 of Division 2 of, the Business and Professions Code, relating to marriage and family therapy.

Assembly Bill 2615—An act to repeal Section 66755 of the Education Code, relating to public postsecondary education.

Assembly Bill 2660—An act to amend Sections 4040, 4052, 4060, 4076, and 4111 of the Business and Professions Code, and to amend Section 11150 of the Health and Safety Code, relating to pharmaceuticals.

Assembly Bill 2719—An act to add Section 12237 to the Government Code, relating to State Archives.

Assembly Bill 2776—An act to amend Section 64201 of the Education Code, relating to education.

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of the Welfare and Institutions Code, relating to children.

Assembly Bill 2820—An act to amend Sections 1570.7, 1572, 1579, 1588.5, 1588.7, 1589, and 1591 of the Health and Safety Code, and to amend Sections 14526 and 14573 of the Welfare and Institutions Code, relating to adult day health care.

Assembly Bill 2927—An act to amend Sections 24045.2, 24045.3, 24045.4, 24045.6, 24045.9, and 24045.15 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 3048—An act to amend Sections 22670, 22851.2, 22851.4, 22851.6, 22851.8, 22851.10, and 22852 of the Vehicle Code, relating to vehicles.

Assembly Bill 3073—An act to amend Section 23802 of the Revenue and Taxation Code, relating to taxation, to take effect immediately.

Assembly Bill 3089—An act to amend Section 12715 of the Government Code, relating to tribal gaming.

Assembly Bill 3099—An act to repeal Section 11382 of the Elections Code, relating to recall elections.

Assembly Bill 3100—An act to amend Section 9042 of the Elections Code, relating to state elections.

Assembly Concurrent Resolution 142—Relative to the Los Angeles County Deputy Sheriff David W. March Memorial Interchange.

Assembly Concurrent Resolution 145—Relative to the Martin L. Ganz Memorial Highway.

Assembly Concurrent Resolution 156—Relative to the Burbank Police Officer Matthew Pavelka Memorial Freeway.

Assembly Concurrent Resolution 162—Relative to CHP Officer Dean E. Beattie Memorial Highway.

Assembly Concurrent Resolution 163—Relative to the Officer Shannon Distel Memorial Interchange.

Assembly Concurrent Resolution 171—Relative to Vietnam War veterans.

Assembly Concurrent Resolution 177—Relative to the University of California.

Assembly Concurrent Resolution 179—Relative to Officer Mark A. White Memorial Highway.

Assembly Concurrent Resolution 180—Relative to a Blue Star Memorial Highway.

Assembly Concurrent Resolution 182—Relative to Hmong-American Veterans Memorial Day.

Assembly Concurrent Resolution 189—Relative to the Bernie Richter Memorial Highway.

Assembly Concurrent Resolution 220—Relative to Black April Memorial Week.

Assembly Joint Resolution 56—Relative to the extension of the 1994 ban on assault weapons.

Assembly Joint Resolution 72—Relative to the federal gasoline oxygenate mandate.

REPORTS OF STANDING COMMITTEES

Committee on Veterans Affairs

Date of Hearing, April 27, 2004

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

SB 1688

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

MORROW, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, May 3, 2004

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

SB 1590

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

Senate Bill 1590—An act to add Section 6254.18 to the Government Code, relating to public records.

Bill read second time.

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

Committee on Education

Date of Hearing, April 28, 2003

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

SB 1416

SB 1531

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

VASCONCELLOS, Chair

Above measures ordered to second reading.

Committee on Judiciary

Senate Chamber, May 3, 2004

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

SB 1822

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

Senate Bill 1822—An act to add Title 1.81.15 (commencing with Section 1798.88) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read second time.

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

Date of Hearing, April 27, 2004

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

SB 1465

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

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, April 27, 2004

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

SB 1764

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.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, April 22, 2004

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

SB 1245

SB 1405

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

VASCONCELLOS, Chair

Above measures ordered to second reading.

Committee on Insurance

Senate Chamber, May 3, 2004

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

AB 1728

AB 1985

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

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1728—An act to amend Section 1872.85 of the Insurance Code, relating to insurance.

Bill read second time.

Assembly Bill 1985—An act to amend Section 1871.3 of the Insurance Code, relating to insurance claims.

Bill read second time.

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

Committee on Health and Human Services

Senate Chamber, May 3, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

SB 1386

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

Senate Bill 1386—An act to add Article 9 (commencing with Section 49052) to Chapter 6 of Part 27 of the Education Code, relating to pupils.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Senate Chamber, April 30, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1739

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

ORTIZ, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Public Safety

Date of Hearing, April 27, 2004

Mr. President: The Committee on Public Safety, to which was referred:

SB 1468

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, April 28, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

SB 1509

SB 1692

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Judiciary

Senate Chamber, May 3, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

SB 1403

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

Senate Bill 1403—An act to add Section 411.25 to the Code of Civil Procedure, relating to civil filings.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Date of Hearing, April 27, 2004

Mr. President: The Committee on Judiciary, to which were referred:

SB 1431 SB 1632 SB 1819

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUZIA, Chair

Above measures ordered to second reading.

Committee on Public Safety

Date of Hearing, April 27, 2004

Mr. President: The Committee on Public Safety, to which was referred:

SB 1794

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Insurance

Senate Chamber, May 3, 2004

Mr. President: The Chair of the Committee on Insurance, to which was referred:

SB 1855

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1855—An act to amend Sections 10102 and 10103 of, and to add Chapter 12 (commencing with Section 10109) to Part 1 of Division 2 of, the Insurance Code, relating to homeowners' insurance.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, April 22, 2004

Mr. President: The Committee on Education, to which was referred:

SB 1875

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 27, 2004

Mr. President: The Committee on Public Safety, to which was referred: SB 1737

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, May 3, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which were referred:

SB 1433 SB 1523

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1433—An act to add a heading as Article 1 (commencing with Section 1797.198) of Chapter 3.75 of Division 2.5 of, and to add Article 2 (commencing with Section 1797.199.50) to Chapter 3.75 of Division 2.5 of, the Health and Safety Code, and to add and repeal Article 17 (commencing with Section 18875) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to trauma care.

Bill read second time.

Senate Bill 1523—An act to add and repeal Sections 17053.87 and 23687 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 Labor and Industrial Relations

Date of Hearing, April 28, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which was referred:

SB 1809

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ALARCÓN, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, April 27, 2004

Mr. President: The Committee on Transportation, to which was referred:
SB 1793

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Senate Chamber, May 3, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

SB 1904

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

MURRAY, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1904—An act to amend Section 142263 of the Public Utilities Code, relating to transportation.

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, May 3, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

SB 1888

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1888—An act to amend Section 105205 of the Health and Safety Code, relating to pesticide poisoning.

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, April 27, 2004

Mr. President: The Committee on Governmental Organization, to which were referred:

SB 1524 SB 1754 SB 1758

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VINCENT, Chair

Above measures ordered to second reading.

Committee on Labor and Industrial Relations

Date of Hearing, April 28, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

SB 1538 SB 1901

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ALARCÓN, Chair

Above measures ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1259—An act to amend Section 32569 of the Public Resources Code, relating to the Baldwin Hills Conservancy.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1601—An act to amend Sections 31641.4 and 31664.65 of, and to add Section 31764.8 to, the Government Code, relating to county employees' retirement.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1191—An act relating to unemployment insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1511—An act to add Section 352 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, engrossed, and to third reading.

Senate Bill 1646—An act to amend Section 6303 of the Labor Code, relating to occupational safety and health.

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.

Senate Bill 1566—An act to amend Sections 49430, 49431, 49431.5, and 49433.7 of, and to add Section 49431.7 to, the Education Code, relating to schools.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1815—An act to amend Section 17951 of the Health and Safety Code, relating to building standards.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1916—An act to add Section 12334 to the Government Code, relating to state agency contracts.

Bill read second time.

The amendments proposed by the Committee on Banking, Commerce and International Trade were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1744—An act to amend Sections 1305, 1306, 1308, and 1309 of, and to repeal Section 1305.4 of, the Penal Code, relating to bail services.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1848—An act to add and repeal Section 14601.9 of the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1464—An act to amend Section 38083 of the Education Code, relating to public schools.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1569—An act to add Section 1393.3 to the Health and Safety Code, relating to health care service plans.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **SB 1815** was referred to the Committee on Appropriations.

UNANIMOUS CONSENT TO GIVE SECOND READING

Without objection SB 1875 was given its second reading upon being reported by committee.

Second Reading of Senate Bill (Out of Order)

Senate Bill 1875—An act to add Section 84760 to, and to add Article 3 (commencing with Section 84830) to Chapter 5 of Part 50 of, the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 51** and **SR 29** were withdrawn from Committee and placed on today's Special Consent calendar.

Senator Romero Presiding

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1457—An act to amend Sections 10754, 11000, 11001.5 of the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Alpert moved the adoption of amendments to AB 1457.

The amendments were read and adopted.

SENATE RULE 29.3 SUSPENDED

Without objection, Senate Rule 29.3 was suspended to permit consideration of AB 1457 at this time, as amended, in print, and properly before the Senate.

Consideration of Assembly Bill 1457, as Amended

Bill presented by Senator Alpert.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (2)—Senators Brulte and McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (2)—Senators Brulte and McClintock.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS

Senate Bill 1721—An act to add Section 1799.208 to the Civil Code, relating to consumer contracts.

Bill read third time and presented by Senator Bowen.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Bowen moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1760—An act to amend Section 13957.7 of the Government Code, relating to victims of crime.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Hollingsworth, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1320—An act to amend Sections 65460.1, 65460.2, and 65460.4 of the Government Code, relating to transit village plans.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Ducheny, Dunn, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Johnson, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS**Consideration of Assembly Amendments**

Senate Bill 753—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Alpert.

The question being: Shall the Senate concur in the Assembly amendments to SB 753?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (30)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Ducheny, Dunn, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Above bill ordered enrolled.

CONSENT CALENDAR

Senate Bill 1341—An act to amend Section 2290.5 of the Business and Professions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1485—An act to amend Sections 2620 and 2622 of the Business and Professions Code, relating to physical therapy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 51—Relative to the Joint Rules.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Resolution 29—Relative to the Senate Rules.

Bills Approving Memoranda of Understanding

29.4. *The Senate may not pass a bill that approves a memorandum of understanding, for purposes of Section 3517.5 and following of the Government Code, until the bill has been in print, as last amended, for not less than two legislative days.*

Resolution read and adopted.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1626—An act to amend Section 129785 of the Health and Safety Code, relating to health facility construction, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1156—An act to add Part 4 (commencing with Section 18000) to Division 7 of the Business and Professions Code, relating to business.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1175—An act to add Section 81050.5 to the Education Code, relating to community colleges.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1426—An act to add Section 5024.5 to the Penal Code, relating to correctional facilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1181—An act to add Section 1463 to the Government Code, relating to public officials.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1210—An act to amend Section 217 of, and to add and repeal Sections 217.7, 217.8, and 217.9 to, the Streets and Highways Code, relating to highways.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1285—An act to amend Section 13010.5 of the Penal Code, relating to criminal history reporting.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1612—An act to amend Section 15200.5 of, and to add Section 11410 to, the Welfare and Institutions Code, relating to foster care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1643—An act to add Section 6718 to the Government Code, relating to state observances.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1681—An act to amend Sections 11775 and 11814 of the Health and Safety Code, relating to alcohol and drug programs.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1831—An act to amend Sections 1623.1, 1624, 1624.05, 1624.1, 2782, 3351, 3692, 3706.1, 3811, 4672, 4672.1, 4986, 5151, and 20583 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1838—An act to amend Sections 11750, 11751.4, 11754, 11755, 11755.2, 11756, 11757.51, 11757.57, 11757.59, 11757.61, 11758.12, 11758.13, 11758.20, 11758.23, 11758.25, 11758.29, 11758.40, 11758.43, 11758.46, 11759.1, 11759.2, 11759.4, 11760, 11760.1, 11760.2, 11760.3, 11760.4, 11772, 11776, 11778.9, 11781, 11781.5, 11785, 11786, 11795, 11796, 11796.1, 11797, 11798, 11798.1, 11800, 11801, 11802, 11805, 11810, 11811, 11811.1, 11811.3, 11811.5, 11811.6, 11811.7, 11812, 11812.6, 11813, 11814, 11817.1, 11817.3, 11817.4, 11818, 11818.5, 11820, 11820.1, 11825, 11826, 11827, 11828, 11830.5, 11831.5, 11835, 11836, 11837.2, 11837.3, 11837.4, 11837.6, 11837.7, 11837.8, 11837.9, 11838.1, 11840, 11840.1, 11841, and 11860 of, to amend the heading of Article 1 (commencing with Section 11760) of Chapter 1 of Part 2 of Division 10.5 of, to amend the heading of Article 4 (commencing with Section 11810) of Chapter 4 of Part 2 of Division 10.5 of, to amend the heading of Chapter 3 (commencing with Section 11758.10) of Part 1 of, Division 10.5 of to amend the heading of Chapter 9 (commencing with Section 11836) of Part 2 of Division 10.5 of, to amend the heading of Chapter 2 (commencing with Section 11960) of Part 3 of Division 10.5 of, to amend the headings of Part 2 (commencing with Section 11760) and Part 3 (commencing with Section 11860) of Division 10.5 of, to amend and renumber Sections 11830 and 11831 of, to amend and renumber the headings of Article 4 (commencing with Section 11970.1) and Article 5 (commencing with Section 11970.45) of Chapter 2 of Part 3 of Division 10.5 of, to amend and renumber the heading of Chapter 10 (commencing with Section 11840) of Part 2 of Division 10.5 of, to add Section 11752.1 to, to add Article 2 (commencing with Section 11760.5) to Chapter 1 of Part 2 of Division 10.5 of, to add Chapter 3.5 (commencing with Section

11788), Chapter 10 (commencing with Section 11839), Chapter 12 (commencing with Section 11842), and Chapter 13 (commencing with Section 11847) to Part 2 of Division 10.5 of, to repeal Sections 11755.4, 11755.5, 11756.5, 11757, 11757.55, 11757.62, 11757.63, 11757.65, 11757.66, 11758.27, 11758.33, 11758.41, 11759.5, 11765, 11782, 11814.5, and 11864 of, to repeal Article 2 (commencing with Section 11865), Article 3 (commencing with Section 11875), and Article 4 (commencing with Section 11885) of Chapter 1 of Part 3 of Division 10.5 of, to repeal Article 1 (commencing with Section 11960) and Article 2 (commencing with Section 11965) of Chapter 2 of Part 3 of Division 10.5, to repeal the heading of Chapter 3.3 (commencing with Section 11758.20) of Part 1 of Division 10.5 of, to repeal Chapter 3.5 (commencing with Section 11758.50) of Part 1 of Division 10.5 of, to repeal Chapter 5 (commencing with Section 11759.10) of Part 1 of Division 10.5 of, to repeal Chapter 3 (commencing with Section 11970.5) and Chapter 4 (commencing with Section 11980) of Part 3 of Division 10.5 of, and to repeal and add Sections 11758.10 and 11817.8 of, the Health and Safety Code, relating to alcohol and other drug programs.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1877—An act to amend Sections 533 and 5365 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1879—An act to amend Section 220.5 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1881—An act to amend Sections 6459 and 6480.1 of, to amend and renumber Section 6480.3 of, and to repeal Section 6451.5 of, the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1882—An act to amend Sections 43152.14, 43201, 43350, 45351, 46156, 46301, 50120.1, 55061, and 55101 of the Revenue and Taxation Code, relating to the State Board of Equalization.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1889—An act to amend Sections 21159.24 and 21167 of the Public Resources Code, relating to environmental protection.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1908—An act to amend Sections 4290 and 4584 of the Public Resources Code, relating to forest resources.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 67—Relative to Officer John Pedro Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 68—Relative to John Castro Memorial Interchange.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1526—An act to add Section 8588.12 to the Government Code, relating to public resources.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1621—An act to amend Sections 44325 and 44329 of the Education Code, relating to credentialing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 124—An act to amend Section 17052 of the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 1721)

On motion of Senator Bowen, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1721 was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

REQUEST TO BE ADDED TO ROLL CALL

May 3, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 1457—Aye	SB 1721—Aye
AB 1760—Aye	AB 1320—Aye
SB 753—Aye	Consent Calendar—Aye

JOHN L BURTON, President pro Tempore

May 3, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 1457—No	SB 1721—No
AB 1760—Aye	AB 1320—No
SB 753—Aye	Consent Calendar—Aye

JAMES L BRULTE, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Florez.

The following Senator was granted leave of absence for the day due to a family illness: Senator Figueroa.

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

The following Senator was granted leave of absence for the day due to a death in the family: Senator Soto.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 12:03 p.m., on motion of Senator Johnson, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Johnson moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, May 4, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 3, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

- | | | | |
|---------|---------|---------|---------|
| AB 1802 | AB 2029 | AB 2243 | AB 3098 |
| AB 1924 | AB 2062 | AB 2566 | |
| AB 1939 | AB 2089 | AB 2644 | |
| AB 2023 | AB 2137 | AB 2834 | |

Assembly Chamber, May 3, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

- | | | |
|--------|---------|---------|
| AB 701 | AB 1454 | AB 1457 |
|--------|---------|---------|

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 1802—An act to amend Section 374.3 of the Penal Code, relating to illegal dumping.

Assembly Bill 1924—An act to amend Sections 4299 and 4376 of the Public Resources Code, relating to fire prevention.

Assembly Bill 1939—An act to add Section 429.6 to the Government Code, relating to veterans.

Assembly Bill 2023—An act to amend Section 798.56 of the Civil Code, relating to mobilehomes.

Assembly Bill 2029—An act to amend Section 45452 of the Education Code, and to amend Section 42011 of the Vehicle Code, relating to vehicles.

Assembly Bill 2062—An act to add Section 1194 to the Civil Code, and to amend Sections 8201, 8201.2, and 8206 of the Government Code, relating to notaries public.

Assembly Bill 2089—An act to add Section 358.5 to the Family Code, relating to marriage.

Assembly Bill 2137—An act to amend Sections 26726, 26731, and 26733.5 of the Government Code, relating to law enforcement fees.

Assembly Bill 2243—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.

Assembly Bill 2566—An act to amend Section 654.05 of the Harbors and Navigation Code, relating to boating.

Assembly Bill 2644—An act to add Chapter 8.8 (commencing with Section 44273) to Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

Assembly Bill 2834—An act to add Section 13557 to the Water Code, relating to water.

Assembly Bill 3098—An act to amend Section 9160 of the Elections Code, relating to voting.

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 81: By Senator Torlakson, Escutia, Karnette, and Ortiz (Coauthors: Assembly Members Hancock and Jackson)—Relative to California Task Force on Youth and Workplace Wellness.

REPORTS OF STANDING COMMITTEES Committee on Business and Professions

Senate Chamber, May 3, 2004

Madam President: The Chair of the Committee on Business and Professions, to which was referred:

AB 671

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 671—An act to amend Section 7587.1 of the Business and Professions Code, relating to private security services.

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, May 3, 2004

Madam President: The Chair of the Committee on Judiciary, to which was referred:

SB 1413

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

Senate Bill 1413—An act to amend Section 1255.7 of the Health and Safety Code, relating to abandoned newborns.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Insurance

Date of Hearing, April 29, 2004

Madam President: The Committee on Insurance, to which was referred:

SB 1315

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, May 3, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

SB 1162

SB 1343

SB 1797

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1162—An act to add and repeal Article 1.5 (commencing with Section 18705) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Senate Bill 1343—An act to add Section 8206.9 to the Education Code, relating to child care and development programs.

Bill read second time.

Senate Bill 1797—An act to amend Section 21647 of the Business and Professions Code, and to amend Sections 832.15, 832.16, 11108.3, 12010, 12011, 12021 12030, 12078, and 12082 of, and to repeal Section 12076.5 of, the Penal Code, relating to firearms.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Date of Hearing, April 29, 2004

Madam President: The Committee on Housing and Community Development, to which was referred:

SB 1592

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUCHENY, Chair

Above measure ordered to second reading.

Date of Hearing, May 29, 2004

Madam President: The Committee on Housing and Community Development, to which was referred:

SB 1652

Reports the same back with the recommendation: Do pass as amended.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Senate Chamber, May 3, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

SB 1912

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

Senate Bill 1912—An act to add Section 49414.7 to the Education Code, relating to pupil health.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1912 pursuant to Joint Rule 58.

SENATOR ASHBURN

Permission of Rules Committee

Senate Chamber, May 3, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1912.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Insurance

Date of Hearing, April 29, 2004

Madam President: The Committee on Insurance, to which was referred:
SB 1500

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, April 27, 2004

Madam President: The Committee on Public Safety, to which were referred:

SB 1376 SB 1506

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Judiciary

Date of Hearing, April 27, 2004

Madam President: The Committee on Judiciary, to which was referred:
SB 1407

Reports the same back with the recommendation: Do pass as amended.

ESCUZIA, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, May 27, 2004

Madam President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 1478

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1221** was withdrawn from the Committee on Rules 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 Thursday, May 6, 2004:

SB 1766 SB 1601 SB 1848

COMMUNICATION AND LETTER OF TRANSMITTAL

The following communication was ordered printed in the Journal:

May 3, 2004

Greg Schmidt

Secretary of the Senate

Dear Greg:

The Los Angeles Department of Water and Power has asked for the following clarification of legislative intent with respect to Section 1605(a)(2) of the Fish and Game Code, which was added by my SB 418 (Chapter 736 Statutes of 2003).

The requirement for an entity to remain responsible for implementing any mitigation or other measures specified in the streambed alteration agreement, after the agreement expires, is meant to apply to those measures that are specified in the agreement which by their nature require a longer time to be fully implemented. It is appropriate for these measures, and the continuing responsibility of the entity, to be stated in the agreement. However, failure to identify a date of completion or performance does not void or modify the duty to fully mitigate as provided in the agreement.

Further, the provision in Fish and Game Code Section 1605(a)(2) is not meant to make it unlawful for an agreement to contain requirements for mitigation or other measures with a specified end date that is within the term of the agreement.

Sincerely,

BYRON D. SHER
Senator, 11th District

SENATE COMMITTEE ROLL CALLS**Committee on Insurance**

SB 1315—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Figueroa, Ortiz, Scott, and Speier.

NOES (2)—Senators Johnson and Morrow.

SB 1500—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Figueroa, Ortiz, Scott, and Speier.

NOES (1)—Senator Johnson.

Date of Hearing: 4/29/04

Speier (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Alarcón requested that when the Senate adjourns this day it do so in memory of Leonzo Garcia of Sylmar.

Senator Burton requested that when the Senate adjourns this day it do so in memory of Chrysanthy “Soula” Leones of San Francisco.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Anthony “Ted” Baker and Bill Sellers of Lakewood and Pfc. George D. Torres (USMC) of Long Beach.

Senator McPherson requested that when the Senate adjourns this day it do so in memory of Pat Tillman of San Jose.

Senators Chesbro and Machado requested that when the Senate adjourns this day it do so in memory of John Paul Sandlin of Vallejo.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Johnson, the Senate adjourned pursuant to the Senators’ requests until 9 a.m., Tuesday, May 4, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 4, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,
Poochigian, Romero, Scott, Sher, Torlakson, Vasconcellos, and
Vincent—37.

Quorum present.

*(NOTE: Senator Speier will be excused this day on legislative business,
Senator Knight will be excused this day due to illness, and Senator Soto will
be excused this day due to a family death.)*

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 3, 2004

Mr. President: I am directed to inform your honorable body that the
Assembly on this day adopted:

ACR 154 ACR 188 ACR 212 ACR 218

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 154—Relative to Elder and Dependent Adult Abuse Awareness Month.

Assembly Concurrent Resolution 188—Relative to Arthritis Awareness Month.

Assembly Concurrent Resolution 212—Relative to California Peace Officers' Memorial Day.

Assembly Concurrent Resolution 218—Relative to Teacher Appreciation Week.

JOINT RULES SUSPENDED

Without objection, pursuant to Joint Rule 33.1, Joint Rule 61(b)(5) was dispensed with to allow SB 1876 to be reported by the Committee on Revenue and Taxation after the deadline.

REPORTS OF STANDING COMMITTEES**Committee on Environmental Quality**

Date of Hearing, May 3, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

SJR 28

Reports the same back with the recommendation: Be adopted.

SHER, Chair

Above resolution ordered to third reading.

Date of Hearing, May 3, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

SB 1350

SB 1883

SB 1884

SB 1885

SB 1886

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

SHER, Chair

Above measures ordered to second reading.

Date of Hearing, May 3, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

SB 1362

SB 1456

Reports the same back with the recommendation: Do pass.

SHER, Chair

Above bills ordered to second reading.

Committee on Natural Resources and Wildlife

Date of Hearing, April 29, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

SB 1753

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measure ordered to second reading.

Committee on Appropriations

Date of Hearing, May 3, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1159 SB 1276 SB 1596 SB 1697
SB 1745 SB 1782 SB 1791 SB 1800

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Senate Chamber, April 30, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1134 SB 1340 SB 1543 SB 1670
SB 1176 SB 1344 SB 1545 SB 1696
SB 1189 SB 1353 SB 1546 SB 1712
SB 1233 SB 1382 SB 1547 SB 1729
SB 1236 SB 1384 SB 1548 SB 1746
SB 1246 SB 1401 SB 1549 SB 1749
SB 1248 SB 1435 SB 1559 SB 1812
SB 1273 SB 1449 SB 1577 SB 1826
SB 1277 SB 1479 SB 1615 SB 1873
SB 1307 SB 1507 SB 1622 SB 1906
SB 1314 SB 1529 SB 1647 SB 1913
SB 1330 SB 1542 SB 1663 SB 1914

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, April 29, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1650 SB 1856

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Committee on Public Safety

Date of Hearing, May 4, 2004

Mr. President: The Committee on Public Safety, to which was referred:
SB 1768

Reports the same back with the recommendation: Do pass.

McPHERSON, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, May 4, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1617 SB 1700 SB 1911 AB 1510

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1617—An act to amend Section 47612.1 of the Education Code, relating to charter schools.

Bill read second time.

Senate Bill 1700—An act to amend Sections 8499.5, 54744, 54745, and 54749 of the Education Code, relating to child care.

Bill read second time.

Senate Bill 1911—An act to amend Sections 61405 and 62182 of the Food and Agricultural Code, relating to milk.

Bill read second time.

Assembly Bill 1510—An act to add Sections 195.89, 195.90, and 195.91 to the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Senate Chamber, April 29, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1434

SB 1731

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, May 4, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1262

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1262—An act to amend Sections 17510.3, 17510.4, and 17510.5 of the Business and Professions Code, and to amend Sections 12581, 12582, 12584, 12585, 12586, 12599, and 12599.1 of, and to add Sections 12598.1, 12599.3, 12599.6, 12599.7, and 12599.8 to, the Government Code, relating to charitable organizations.

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, April 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 1703

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Date of Hearing, May 4, 2004

Mr. President: The Committee on Governmental Organization, to which were referred:

SB 1226

SB 1288

Reports the same back with the recommendation: Do pass.

VINCENT, Chair

Above bills ordered to second reading.

Date of Hearing, May 4, 2004

Mr. President: The Committee on Governmental Organization, to which were referred:

SB 1584 SB 1586 SB 1699
SB 1787 SB 1788

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

VINCENT, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, May 4, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1336

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1336—An act to add Section 1638.1 to the Business and Professions Code, relating to oral and maxillofacial surgery, 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 Agriculture and Water Resources

Date of Hearing, May 4, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which was referred:

SB 1518

Reports the same back with the recommendation: Do pass.

MACHADO, Chair

Above bill ordered to second reading.

Date of Hearing, April 28, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which were referred:

SB 1155 SB 1425

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MACHADO, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, May 4, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1168	SB 1234	SB 1275
SB 1342	SB 1453	SB 1891

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 1168—An act to add Chapter 8 (commencing with Section 105440) to Part 5 of Division 103 of the Health and Safety Code, relating to public health, and making an appropriation therefor.

Bill read second time.

Senate Bill 1234—An act to amend Section 52.1 of the Civil Code, to amend Sections 200 and 220 of the Education Code, to amend Section 12926 of the Government Code, and to amend Sections 190.03, 422.6, 422.7, 422.75, 594.3, 11410, 11413, 13023, 13515.25, 13519.4, 13519.6 of, to amend and renumber Sections 422.95, 1170.75, and 13873 of, to add Sections 422.77, 422.78, 422.86, 422.89, 422.91, 422.93, 13519.64, and 13519.65 to, to add Chapter 1 (commencing with Section 422.55) to Title 11.6 of Part 1 of, to add a chapter heading to Chapter 2 immediately preceding Section 422.6 of Title 11.6 of Part 1 of, to add Chapter 3 (commencing with Section 422.88) to Title 11.6 of Part 1 of, to repeal Sections 422.76, 13870, and 13871 of, and to repeal and add Section 422.9 of, the Penal Code, relating to crimes.

Bill read second time.

Senate Bill 1275—An act to add Sections 1264 , 1264.5, and 1264.6 to the Health and Safety Code, relating to health facilities.

Bill read second time.

Senate Bill 1342—An act to amend Sections 6125 and 6126 of, and to add Section 6127 to, the Penal Code, relating to the Inspector General.

Bill read second time.

Senate Bill 1453—An act to amend Sections 1400, 1402, and 1403 of, and to add Section 1401.5 to the Labor Code, relating to employment.

Bill read second time.

Senate Bill 1891—An act to add and repeal Section 316.6 of the Public Utilities Code, relating to telecommunications.

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, April 27, 2004

Mr. President: The Committee on Public Safety, to which was referred:
SB 1660

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing, May 4, 2004

Mr. President: The Committee on Revenue and Taxation, to which were referred:

SB 1523

SB 1876

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

CEDILLO, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing, April 28, 2004

Mr. President: The Committee on Education, to which was referred:
SB 1517

Reports the same back with the recommendation: Do pass as amended, and be placed on the Consent Calendar.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, April 28, 2004

Mr. President: The Committee on Education, to which was referred:
SB 1423

Reports the same back with the recommendation: Do pass as amended.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, April 21, 2004

Mr. President: The Committee on Education, to which was referred:
SB 1448

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, May 4, 2004

Mr. President: The Committee on Rules has examined:

SB 1051

And reports that the same has been correctly enrolled, and presented to the Governor on the 4th day of May, 2004, at 2 p.m.

BURTON, Chair

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1688—An act to add Chapter 8.7 (commencing with Section 1365) to Division 6 of the Military and Veterans Code, relating to veterans.

Bill read second time.

The amendments proposed by the Committee on Veterans Affairs were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1416—An act to add Article 1 (commencing with Section 42200) to Chapter 7 of Part 24 of the Education Code, relating to education finance.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1531—An act to amend Section 47602 of the Education Code, relating to charter schools.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1465—An act to amend Section 1985.6 of the Code of Civil Procedure, relating to the production of evidence.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to Consent Calendar.

Senate Bill 1764—An act to amend Section 120440 of the Health and Safety Code, relating to immunization.

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.

Senate Bill 1245—An act to add and repeal Article 8 (commencing with Section 89270) of Chapter 2 of Part 55 of the Education Code, relating to the California State University.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1405—An act to add Section 60401 to the Education Code, relating to instructional materials, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1468—An act to add Chapter 9.8 (commencing with Section 6280) to Title 7 of Part 3 of, and to repeal Section 6288 of, the Penal Code, relating to corrections.

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.

Senate Bill 1509—An act to add Sections 16729 and 17050.5 to the Business and Professions Code, and to amend Section 12583 of, and to add Section 12586.1 to, the Government Code relating to health care.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1692—An act to amend Section 49455 of the Education Code, relating to pupils.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1431—An act to add Section 5058.4 to the Penal Code, and to add Section 1752.05 to the Welfare and Institutions Code, relating to corrections.

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.

Senate Bill 1632—An act to add Section 7513.7 to the Government Code, relating to public pension systems.

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.

Senate Bill 1819—An act to amend Sections 4514 and 5328 of the Welfare and Institutions Code, relating to confidential 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.

Senate Bill 1794—An act to amend Sections 1369, 1370, and 1370.01 of the Penal Code, relating to competency.

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.

Senate Bill 1737—An act to amend Sections 296, 296.1, 298.1, 299.5, and 300 of the Penal 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.

Senate Bill 1809—An act to amend Section 2699 of 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.

Senate Bill 1793—An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1524—An act to amend Section 19858 of the Business and Professions Code, relating to gambling.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1754—An act to add Section 14682 to the Government Code, relating to state property.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1758—An act to add Section 11011.23 to the Government Code, relating to state property.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1538—An act to amend Section 226.7 of the Labor Code, relating to compensation.

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.

Senate Bill 1901—An act to add Section 6713 to the Labor Code, relating to safety in 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.

Senate Bill 1315—An act to amend Section 2070 of the Insurance Code, relating to insurance policies.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1592—An act to add Section 65458 to the Government Code, relating to local planning.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1652—An act to add Chapter 11.3 (commencing with Section 19875) to Part 3 of Division 13 of the Health and Safety Code, relating to solar energy.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1407—An act to amend Section 2640 of the Family Code, relating to property.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1478—An act to amend Sections 25740, 25743, 25744, and 25748 of, and to repeal Sections 25745 and 25749 of, the Public Resources Code, and to amend Sections 399.11, 399.12, 399.13, 399.14, 399.15, and 399.16 of, and to add Section 399.17 to, the Public Utilities Code, relating to energy.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1500—An act to amend Sections 11629.85 and 11629.992 of the Insurance Code, and to amend Section 4000.37 of, to amend, repeal, and add Section 4000.38 of, and to add Section 16058 to, the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1376—An act to amend Section 18564 of, and to add Sections 18564.5, 19214, and 19214.5 to, the Elections Code, relating to elections.

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.

Senate Bill 1506—An act to amend Section 653v of, and to add Section 653aa to the Penal Code, relating to Internet piracy.

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.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **SB 1511** was referred to the Committee on Appropriations.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 104—Relative to Day of the Teacher.

Resolution read third time.

Amendments Adopted

Amendments to ACR 104 proposed by Senator Karnette were read and adopted and the measure ordered printed and to second reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 671** was withdrawn from the Committee on Business and Professions and re-referred to the Committee on Rules;

SB 1904 was withdrawn from the Committee on Transportation and re-referred to the Committee on Rules; and

SB 1433 was withdrawn from the Committee on Revenue and Taxation and re-referred to the Committee on Appropriations.

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 82: By Senator Scott—Relative to Foster Care Month.

SENATE COMMITTEE ROLL CALLS

Committee on Agriculture and Water Resources

SB 1518—Do pass

AYES (7)—Senators Bowen, Denham, Ducheny, Florez, Hollingsworth, Machado, and Poochigian.

NOES (0)—None.

Date of Hearing: 5/4/04

Machado (Chair)

Committee on Appropriations

SB 1159—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (4)—Senators Aanestad, Battin, Johnson, and Poochigian.

SB 1190—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1215—Do pass as amended

AYES (9)—Senators Alpert, Ashburn, Battin, Burton, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

SB 1276—Do pass

AYES (8)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (2)—Senators Ashburn and Battin.

SB 1352—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Burton, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1369—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Johnson, Karnette, Machado, and Murray.

NOES (1)—Senator Aanestad.

SB 1534—Do pass as amended

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

SB 1596—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (4)—Senators Aanestad, Battin, Johnson, and Poochigian.

SB 1697—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Burton, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

SB 1745—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

SB 1782—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Burton, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1791—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

SB 1800—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

Date of Hearing: 5/3/04

Alpert (Chair)

Committee on Environmental Quality**SB 1132—Do pass and re-refer to Committee on Appropriations**

AYES (1)—Senator Denham.

NOES (2)—Senators Kuehl and Romero.

Failed Passage

SB 1350—Do pass, to Consent Calendar

AYES (6)—Senators Chesbro, Denham, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1362—Do pass

AYES (6)—Senators Chesbro, Denham, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1456—Do pass

AYES (4)—Senators Chesbro, Kuehl, Romero, and Sher.

NOES (2)—Senators Denham and McPherson.

SB 1690—Do pass as amended and re-refer to Committee on Judiciary

AYES (6)—Senators Chesbro, Denham, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1883—Do pass, to Consent Calendar

AYES (6)—Senators Chesbro, Denham, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1884—Do pass, to Consent Calendar

AYES (6)—Senators Chesbro, Denham, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1885—Do pass, to Consent Calendar

AYES (6)—Senators Chesbro, Denham, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SB 1886—Do pass, to Consent Calendar

AYES (6)—Senators Chesbro, Denham, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

SJR 28—Be adopted

AYES (6)—Senators Chesbro, Denham, Kuehl, McPherson, Romero, and Sher.
NOES (0)—None.

Date of Hearing: 5/3/04 Sher (Chair)

Committee on Governmental Organization

SB 1226—Do pass

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, and Vincent.

NOES (0)—None.

SB 1288—Do pass

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, and Vincent.

NOES (0)—None.

SB 1584—Do pass, to Consent Calendar

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, and Vincent.

NOES (0)—None.

SB 1586—Do pass, to Consent Calendar

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, and Vincent.

NOES (0)—None.

SB 1699—Do pass, to Consent Calendar

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, and Vincent.

NOES (0)—None.

SB 1787—Do pass, to Consent Calendar

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, and Vincent.

NOES (0)—None.

SB 1788—Do pass, to Consent Calendar

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, and Vincent.

NOES (0)—None.

Date of Hearing: 5/4/04 Vincent (Chair)

Committee on Public Safety

SB 1768—Do pass

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.
NOES (0)—None.

SB 1806—Do pass as amended

AYES (3)—Senators Margett, McPherson, and Romero.

NOES (0)—None.

Failed passage

SB 1806—Reconsideration granted

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 5/4/04

McPherson (Chair)

Committee on Revenue and Taxation**SB 1126**—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Ashburn and Poochigian.

NOES (1)—Senator Alpert.

Failed passage

SB 1297—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Ashburn and Poochigian.

NOES (0)—None.

Failed passage

SB 1523—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Ashburn, Bowen, Cedillo, and Poochigian.

NOES (0)—None.

SB 1561—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Ashburn and Poochigian.

NOES (0)—None.

Failed passage

SB 1572—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Ashburn, Cedillo, and Poochigian.

NOES (0)—None.

SB 1876—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (2)—Senators Ashburn and Poochigian.

Date of Hearing: 5/4/04

Cedillo (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Speier.

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

The following Senator was granted leave of absence for the day due to a family death: Senator Soto.

REQUEST TO ADJOURN IN MEMORIAM

Senator Margett requested that when the Senate adjourns this day it do so in memory of Leonard Altmayer of Arcadia.

May 4, 2004

SENATE JOURNAL

3577

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, May 5, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED NINETY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Miércoles, Cinco de Mayo, 2004

The Senate met at 9 a.m.

Hon. John L. Burton, of the 3rd District, presiding.

Secretary Greg Schmidt at the Desk.

Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent—36.

Quorum present.

(NOTE: Senator Romero will be excused this day on legislative business, Senators Bowen and Knight will be excused this day due to illness, and Senator Soto will be excused this day due to a death in the family.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
May 5, 2004

To the Members of the California Senate:

SB 753, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of SB 753 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered transmitted to the Governor.

Governor's Office, State Capitol
May 5, 2004

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Katherine 'Kay' Albiani, co-owner, cattle and land business. Appointed 4/21/04. Effective 4/29/04:

Member, Board of Governors of the California Community Colleges vice Antonia Hernandez, resigned, term ending 1/15/07.

Anthony J. Alvarado, U.S.D., School of Education, an education leader. Appointed 3/29/04. Effective 4/19/04:

Member, Board of Governors of the California Community Colleges vice Laurie J. Black, withdrawn from the Senate, term ending 1/15/08.

Benita D. Haley, consultant. Appointed 4/21/04. Effective 4/27/04:

Member, Board of Governors of the California Community Colleges vice Amy B. Dean, resigned, term ending 1/15/06.

Lance T. Izumi, director, Education Studies, Pacific Research Institute for Public Policy. Appointed 4/21/04. Effective 4/27/04:

Member, Board of Governors of the California Community Colleges vice Ronald Wong, withdrawn from the Senate, term ending 1/15/09.

Pauline Larwood, owner, consulting firm. Appointed 4/21/04. Effective 5/6/04:

Member, Board of Governors of the California Community Colleges vice Brian E. Conley, term expired, term ending 1/15/10.

Margaret R. Quinones, Counselor, El Camino College. Appointed 3/29/04. Effective 4/10/04:

Member, Board of Governors of the California Community Colleges vice Anita Grier, withdrawn from the Senate, term ending 1/15/08.

J. Stephen Rhodes, consultant, financial and marketing advice to public and private companies. Appointed 3/29/04. Effective 4/13/04:

Member, Board of Governors of the California Community Colleges vice Fahari Jeffers, withdrawn from the Senate, term ending 1/15/06.

Sara Alicia Tucker, President and CEO, the Hispanic Scholarship Fund. Appointed 3/29/04. Effective 4/12/04:

Member, Board of Governors of the California Community Colleges vice Melinda F. Guzman-Moore, withdrawn from the Senate, term ending 1/15/09.

Henry Robert Renteria, former director, Office of Emergency Services, City of Oakland. Appointed 4/27/04. Effective 5/3/04:

Director of Office of Emergency Services vice W. Dallas Jones, replaced, term ending at the pleasure of the Governor.

Jackalyn Pfannenstiel, former energy policy and strategy advisor for energy developers and public agencies. Appointed 4/30/04. Effective 5/4/04:

Member, State Energy Resources Conservation and Development Commission vice B.B. Blevins, resigned, term ending 1/6/09.

Rosario Marin, former Treasurer of the United States. Appointed 4/22/04. Effective 4/27/04:

Member, California Integrated Waste Management Board vice Jose E. Medina, term expired term ending 1/1/08.

Richard Jesse Loa, former deputy alternate public defender for the County of Los Angeles. Appointed 4/30/04. Effective 5/1/04:

Member Board of Prison Terms vice Jones M. Moore, term expired, term ending 3/15/08.

Andrea Lynn Hoch, former chief assistant attorney general for the Civil Law Division. Appointed 4/26/04. Effective 4/26/04:

Administrative Director, Division of Workers' Compensation vice Richard P. Gannon, replaced, term ending at the pleasure of the Governor.

Above appointments referred to the Committee on Rules.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Monday, May 10, 2004.

SCR 74	SB 1344	SB 1647	SB 1697
SB 1688	SB 1353	SB 1663	SB 1791
SB 1407	SB 1382	SB 1696	SB 1650
SB 1134	SB 1384	SB 1712	SB 1856
SB 1189	SB 1435	SB 1746	SB 1768
SB 1233	SB 1449	SB 1812	SB 1226
SB 1236	SB 1479	SB 1826	SB 1518
SB 1273	SB 1507	SB 1873	SB 1423
SB 1277	SB 1577	SB 1906	ACR 104
SB 1314	SB 1615	SB 1913	
SB 1340	SB 1622	SB 1914	

REPORTS OF STANDING COMMITTEES**Committee on Education**

Date of Hearing, April 28, 2004

Mr. President: The Committee on Education, to which were referred:

SB 1421	SB 1454	SB 1510
SB 1630	SB 1645	

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Committee on Transportation

Date of Hearing, May 4, 2004

Mr. President: The Committee on Transportation, to which was referred:

SR 33

Reports the same back with the recommendation: Be adopted.

MURRAY, Chair

Above resolution ordered to third reading.

Committee on Rules

Senate Chamber, May 5, 2004

Mr. President: The Committee on Rules has examined:

SB 753

And reports that the same has been correctly enrolled, and presented to the Governor on the 5th day of May, 2004, at 10 a.m.

BURTON, Chair

Committee on Elections and Reapportionment

Date of Hearing, May 5, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SB 1723

Reports the same back with the recommendation: Do pass.

PERATA, Chair

Above bill ordered to second reading.

Date of Hearing, May 5, 2004

Mr. President: The Committee on Elections and Reapportionment, to which were referred:

SB 1317

SB 1458

SB 1653

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

PERATA, Chair

Above measures ordered to second reading.

Date of Hearing, May 5, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SCA 19

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Constitutional Amendments.

PERATA, Chair

Above measure re-referred to the Committee on Constitutional Amendments.

Date of Hearing, May 5, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SB 1606

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

PERATA, Chair

Above measure re-referred to the Committee on Rules.

Committee on Judiciary

Date of Hearing, May 4, 2004

Mr. President: The Committee on Judiciary, to which were referred:

SB 1490

SB 1528

SB 1822

Reports the same back with the recommendation: Do pass.

ESCUTIA, Chair

Above bills ordered to second reading.

Date of Hearing, May 4, 2004

Mr. President: The Committee on Judiciary, to which was referred:

SB 1306

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Local Government

Date of Hearing, May 5, 2004

Mr. President: The Committee on Local Government, to which were referred:

SB 1166

SB 1489

Reports the same back with the recommendation: Do pass.

TORLAKSON, Chair

Above bills ordered to second reading.

Date of Hearing, May 5, 2004

Mr. President: The Committee on Local Government, to which were referred:

SB 1771

SB 1874

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

TORLAKSON, Chair

Above measures ordered to second reading.

Committee on Appropriations

Date of Hearing, May 3, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1190

SB 1534

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, May 5, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 921

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 921—An act to add Section 60220.5 to the Education Code, relating to instructional materials.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 921 pursuant to Joint Rule 58.

ASSEMBLY MEMBER FIREBAUGH

Permission of Rules Committee

Senate Chamber, May 5, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 921.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Business and Professions

Date of Hearing, April 26, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

SB 1355

SB 1520

Reports the same back with the recommendation: Do pass as amended.

FIGUEROA, Chair

Above measures ordered to second reading.

Committee on Appropriations

Date of Hearing, May 3, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1215

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, April 29, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1796

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1350—An act to repeal Section 21084.2 of the Public Resources Code, relating to environmental quality.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1883—An act to amend Section 43018 of the Health and Safety Code, relating to air quality.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1884—An act to amend Section 42231 of the Public Resources Code, and to repeal Section 13 of Chapter 60 of the Statutes of 1993, relating to solid waste.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1885—An act to amend Section 21083.8.1 of the Public Resources Code, relating to environmental quality.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1886—An act to amend Sections 40183, 49120, and 49300 of the Public Resources Code, relating to solid waste.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1362—An act to add Section 25218.13 to the Health and Safety Code, and to add Sections 40190.5, 41502, and 41512 to the Public Resources Code, relating to solid waste.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1456—An act to add Section 114716 to the Health and Safety Code, relating to radiation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1753—An act to amend Sections 11011 and 11011.5 of, to repeal Sections 11011.3 and 11011.4 of, and to repeal and add Section 11011.1 of, the Government Code, relating to state property.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1134—An act to amend Section 1393.5 of the Labor Code, relating to employment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1176—An act to amend Section 18420 of the Health and Safety Code, relating to mobilehome parks.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1189—An act to amend Section 94 of the Streets and Highways Code, relating to transportation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1233—An act to amend Section 2985.8 of the Civil Code, to amend Sections 21670.3, 21674.5, 21675, and 21675.1 of the Public Utilities Code, to amend Sections 100.21, 1730, and 1953 of the Streets and Highways Code, and to amend Sections 11205.2, 13370, 21960, and 35401 of, and to add Section 314 to, the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1236—An act to amend Sections 375, 25258, and 25950 of, and to add Section 24255 to, the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1246—An act to add Section 6077.2 to the Business and Professions Code, relating to attorneys.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1248—An act to amend Sections 2850 and 2854 of the Probate Code, relating to trustees.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1273—An act to amend Section 782 of the Insurance Code, relating to insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1277—An act to amend Sections 2924b, 2924h, 2924j, 2924l, 2934a, 2945, 2945.1, 2945.3, and 2945.4 of the Civil Code, relating to mortgages.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1307—An act to amend Sections 4043, 4053, 4054, 4059.5, 4081, 4100, 4105, 4110, 4160, 4164, 4165, 4166, 4196, 4301, 4305.5, 4331, and 4400 of, to amend, repeal, and add Section 4163 of, to add Sections 4021.5, 4022.5, 4034, 4053.1, 4126.5, 4163.5, and 4168 to, to add and repeal Section 4169 of, and to repeal and add Sections 4161 and 4162 of, the Business and Professions Code, relating to drugs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1314—An act to amend Sections 11105 and 14203 of the Penal Code, to amend Section 5164 of the Public Resources Code, and to amend Sections 2432.3 and 13377 of the Vehicle Code, relating to criminal history information, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1330—An act to amend Sections 632.5, 632.6, and 632.7 of the Penal Code, relating to invasions of privacy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1340—An act to amend Sections 84104, 84203, 84203.5, 84204, 90000, 90003, and 91013.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1344—An act to amend Section 1877.1 of the Insurance Code, and to amend Section 1543 of the Penal Code, relating to insurance fraud.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1353—An act to amend Sections 82027.5, 82030, 84106, and 84202.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1382—An act to amend Section 33344.5 of, and to add Section 33344.6 to, the Health and Safety Code, relating to redevelopment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1384—An act to amend Section 44274.2 of the Education Code, relating to teacher credentialing.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1401—An act to add and repeal Section 20239 of the Government Code, relating to public employees' retirement.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1435—An act relating to the Oakland Army Base.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1449—An act to amend Section 85307 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1479—An act to amend Section 13201 of the Water Code, relating to water quality.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1507—An act to amend Sections 14552.2, 14553.4, and 14554.8 of the Government Code, relating to transportation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1529—An act to amend Sections 9, 202, 203, 204, 205, 252, 253, and 431 of, to amend the heading of Article 6 (commencing with Section 671) of Chapter 3 of Part 5 of, to add Section 202.5 to, to add Chapter 3.5 (commencing with Section 685) to Part 5 of, to repeal Sections 136, 671, and 673 of, to repeal Chapter 2 (commencing with Section 221) of Part 3 of, and to repeal Article 2 (commencing with Section 471) of Chapter 8 of Part 4 of, the Monterey Peninsula Water Management District

Law (Chapter 527 of the Statutes of 1977), relating to the Monterey Peninsula Water Management District.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1542—An act to amend Sections 9882 and 9884.17 of the Business and Professions Code, relating to automotive repair.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1543—An act to amend Sections 5000 and 5015.6 of the Business and Professions Code, relating to accountancy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1545—An act to amend Sections 18602 and 18613 of the Business and Professions Code, relating to the State Athletic Commission.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1546—An act to amend Sections 1601.1, 1616.5, and 1742 of, to amend and repeal Sections 1753.5, 1754, 1756, 1757, and 1760 of, to amend, repeal, and add Sections 1741, 1750, 1751, 1752, 1753, 1765, and 1770 of, and to add Sections 1750.1, 1750.2, 1753.1, 1776, and 1777 to, the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1547—An act to amend Sections 6710 and 6714 of the Business and Professions Code, relating to engineers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1548—An act to amend Sections 4800 and 4804.5 of the Business and Professions Code, relating to veterinary medicine.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1549—An act to amend Sections 5510, 5517, 5620, 5621, and 5622 of the Business and Professions Code, relating to architects.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1559—An act to add Section 6066.1 to the Revenue and Taxation Code, relating to taxation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1577—An act to amend Sections 17, 331, 332, 2124, 3400, and 9160 of, and to amend and repeal Section 12223 of, the Elections Code, relating to voting.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1615—An act to amend Sections 43843 and 44004 of the Health and Safety Code, to amend Section 4000.1 of, and to repeal Section 4000.2 of, of the Vehicle Code, relating to air pollution.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1622—An act relating to the Oakland Estuary.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1647—An act to amend Section 25503.6 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1663—An act to add Section 4730.2 to, and to repeal and add Section 4730.3 of, the Health and Safety Code, relating to sanitation districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1670—An act to amend Section 12309.5 of the Elections Code, relating to elections.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1696—An act to amend Sections 13352, 13352.4, 13352.5, 13352.6, 23538, and 23542 of the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1712—An act to amend Section 84602 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1729—An act to amend Sections 42301, 42310, and 42310.1 of, and to repeal Sections 42310.3 and 42324 of, the Public Resources Code, relating to solid waste.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1746—An act to amend Section 17912 of the Business and Professions Code, to amend Sections 395.2 and 416.40 of the Code of Civil Procedure, to amend Sections 174.5, 5063.5, 12242.5, 15800, and 21200 of, to amend the heading of Part 5 (commencing with Section 24000) of Title 3 of, to add Sections 16309 and 16310 to, to add Part 1 (commencing with Section 18000) to Title 3 of, and to add Chapter 1 (commencing with Section 18605) to Part 2 of Title 3 of, and to repeal Sections 24000, 24001, 24002, 24003, 24004, 24005, 24006, and 24007 of, and to repeal Part 1 (commencing with Section 20000) of, and Chapter 1 (commencing with Section 21000) and Chapter 2 (commencing with Section 21100) of Part 2 of, Title 3 of, the Corporations Code, and to amend Section 50089 of the Government Code, relating to unincorporated associations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1749—An act to add Section 42230.5 to, and to add Article 3 (commencing with Section 42250) to Chapter 5 of Part 3 of Division 30 of, the Public Resources Code, relating to composting.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1812—An act to amend Section 19930 of the Business and Professions Code, relating to gambling.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1826—An act to amend Section 19348 of the Food and Agricultural Code, relating to animals.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1873—An act to amend Section 8 of Chapter 898 of the Statutes of 1997, relating to Treasure Island.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1906—An act to amend Section 40433 of, and to add Section 40409 to, the Public Resources Code, relating to solid waste.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1913—An act to amend Sections 28, 1274, 2041, 2462, 2470.14, 2902, 2915.7, 2936, 4005, 4030, 4059.5, 4076, 4081, 4101, 4114, 4200, 4409, 4980.395, 4990.4, 4996.18, 4996.20, and 4996.25 of, and to add Sections 4026.5, 4107, 4208, and 4209 to, the Business and Professions Code, and to amend Sections 11159.1, 11207, and 111625 of the Health and Safety Code, relating to professions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1914—An act to amend Sections 7011.4, 7028.1, 7048, 7068, 7071.9, 7071.11, 7083, 7085, 7090.1, 7121, 7137, 8024, 8024.1, 8024.2, and 8027 of, and to repeal Sections 7019.5, 7021, and 7124.5 of, the Business and Professions Code, relating to professions and vocations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1159—An act to amend Sections 4145 and 4147 of, and to repeal Section 4146 of, the Business and Professions Code, to amend Section 11364 of, and to add Chapter 13.5 (commencing with Section 121285) to Part 4 of Division 105 of, the Health and Safety Code, and to amend Sections 41770 and 41900 of, and to add Section 41803 to, the Public Resources Code, relating to hypodermic needles and syringes.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1276—An act to amend Section 739.3 of the Public Utilities Code, relating to telecommunications.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1596—An act to add Section 3695.6 to the Revenue and Taxation Code, relating to taxation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1697—An act to amend Section 11837 of the Health and Safety Code, and to amend Sections 1803, 13352, 13352.5, 13353, 13353.3, 13353.5, 13353.7, 13954, 14601.2, 23109, 23109.5, 23521, 23536, 23538, 23540, 23542, 23548, 23552, 23556, 23562, 23568, 23660,

and 23665 of, and to repeal and add Sections 13352.4 and 13354 of, the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1745—An act to add Section 1271.15 to the Health and Safety Code, and to add Section 5675.2 to the Welfare and Institutions Code, relating to mental health.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1782—An act to add Section 11152.5 to the Health and Safety Code, and to add Section 1538.1 to the Penal Code, relating to medical crime.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1791—An act to amend Section 12463 of the Government Code, relating to the Controller.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1800—An act to amend Section 12810 of, and to add Section 23123 to, the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1650—An act to amend Section 12798.1 of the Food and Agricultural Code, relating to pest control.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1856—An act to amend Sections 39011 and 42311.2 of the Health and Safety Code, and to amend Sections 4464 and 4475 of the Public Resources Code, relating to resources.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1434—An act to amend Section 4181 of the Fish and Game Code, relating to rabbits.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1731—An act to amend Section 6129 of the Penal Code, relating to corrections.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1768—An act relating to the Inspector General.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1703—An act to add Division 32 (commencing with Section 60000) to the Public Resources Code, relating to the environment.

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.

Senate Bill 1226—An act to add Section 425.10 to the Government Code, relating to State Grass.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1288—An act to amend Section 19606 of the Business and Professions Code, relating to horse racing.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1584—An act to amend Section 23009 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1586—An act to amend Section 12012.85 of the Government Code, relating to gaming.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1699—An act to amend Section 8703 of the Government Code, relating to California-Mexico affairs.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1787—An act to amend Section 11011.15 of the Government Code, relating to state property.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1788—An act to amend Section 10295 of the Public Contract Code, relating to public contracts.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1518—An act to amend Sections 802, 803, and 821 of the Food and Agricultural Code, relating to agricultural policy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1155—An act to add Section 79442 to the Water Code, relating to water.

Bill read second time.

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1425—An act to add Sections 22050, 22051, 22052, 22053, and 22054 to the Food and Agricultural Code, and to add Article 13.5 (commencing with Section 111221) to Chapter 5 of Part 5 of Division 104 to the Health and Safety Code, relating to food.

Bill read second time.

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1660—An act to add Section 2933.7 to the Penal Code, relating to prisons.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1660 pursuant to Joint Rule 58.

SENATOR McPHERSON

Permission of Rules Committee

Senate Chamber, May 5, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1660.

BURTON, Chair

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.

Senate Bill 1517—An act to amend Sections 51430, 51440, and 51442 of, to amend the heading of Article 3.5 (commencing with Section 51430) of, and to repeal the heading of Article 4 (commencing with Section 51440) of, Chapter 3 of Part 28 of, and to repeal Section 51441 of, the Education Code, relating to public schools.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to Consent Calendar.

Senate Bill 1423—An act to add and repeal Chapter 5.5 (commencing with Section 47627) of Part 26.8 of the Education Code, relating to charter schools.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1448—An act to amend Sections 60601, 60602, 60603, 60607, 60640, 60641, and 60642 of the Education Code, relating to pupil assessment.

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.

SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution 104—Relative to the Day of the Teacher.

Resolution read second time and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 782—An act to repeal and add Section 2024.5 of, and to add Section 2024.6 to, the Family Code, relating to court records.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 782 pursuant to Joint Rule 58.

ASSEMBLY MEMBER KEHOE

Permission of Rules Committee

Senate Chamber, May 5, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 782.

BURTON, Chair

Amendments Adopted

Amendments to AB 782 proposed by Senator Burton were read and adopted and the measure ordered printed and to second reading.

MEASURE WITHDRAWN AND PLACED ON SECOND READING

Without objection, **AB 1618** was withdrawn from the Committee on Appropriations and placed on second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Elections and Reapportionment

SB 1317—Do pass, to Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1458—Do pass, to Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1606—Do pass and re-refer to Committee on Rules

AYES (3)—Senators Escutia, Murray, and Perata.

NOES (2)—Senators Johnson and Poochigian.

SB 1653—Do pass, to Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

SB 1723—Do pass

AYES (3)—Senators Johnson, Perata, and Poochigian.

NOES (1)—Senator Escutia.

SCA 19—Do pass and re-refer to Committee on Constitutional Amendments

AYES (3)—Senators Escutia, Murray, and Perata.

NOES (2)—Senators Johnson and Poochigian.

Date of Hearing: 5/5/04

Perata (Chair)

Committee on Judiciary**SB 1306**—Do pass, to Consent Calendar

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1357—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Cedillo, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1368—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

SB 1403—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Escutia and Sher.

NOES (2)—Senators Cedillo and Morrow.

Failed passage

SB 1403—Reconsideration granted

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Morrow.

NOES (0)—None.

SB 1406—Do pass as amended, to Consent Calendar

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

SB 1413—Do pass as amended

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.
NOES (0)—None.

SB 1436—Do pass as amended

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.
NOES (0)—None.

SB 1490—Do pass

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Morrow.
NOES (0)—None.

SB 1505—Do pass and re-refer to Committee on Appropriations

AYES (1)—Senator Morrow.
NOES (3)—Senators Cedillo, Escutia, and Kuehl.
Failed passage

SB 1505—Reconsideration granted

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Morrow.
NOES (0)—None.

SB 1508—Do pass as amended

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Kuehl.
NOES (1)—Senator Morrow.

SB 1528—Do pass

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (2)—Senators Ackerman and Morrow.

SB 1581—Do pass as amended

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow,
and Sher.
NOES (0)—None.

SB 1590—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (1)—Senator Morrow.

SB 1633—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (1)—Senator Morrow.

SB 1659—Do pass

AYES (1)—Senator Morrow.
NOES (4)—Senators Cedillo, Ducheny, Escutia, and Kuehl.
Failed passage

SB 1659—Reconsideration granted

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Morrow.
NOES (0)—None.

SB 1678—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

SB 1682—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

SB 1811—Do pass

AYES (1)—Senator Morrow.

NOES (2)—Senators Escutia and Kuehl.

Failed passage

SB 1811—Reconsideration granted

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Morrow.

NOES (0)—None.

SB 1822—Do pass

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Morrow.

SB 1833—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

SB 1839—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

Date of Hearing: 5/4/04

Escutia (Chair)

Committee on Local Government**SB 1166—Do pass**

AYES (5)—Senators Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (1)—Senator Ackerman.

SB 1266—Do pass as amended

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

SB 1274—Do pass as amended

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

SB 1404—Do pass

AYES (3)—Senators Machado, Perata, and Torlakson.

NOES (1)—Senator Hollingsworth.

Failed passage

SB 1404—Reconsideration granted

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

SB 1489—Do pass

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

SB 1514—Do pass as amended and re-refer to Committee on Judiciary

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

SB 1607—Do pass

AYES (3)—Senators Machado, Perata, and Torlakson.

NOES (1)—Senator Ackerman.

Failed passage

SB 1607—Reconsideration granted

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

SB 1666—Do pass as amended

AYES (4)—Senators Ackerman, Margett, Perata, and Torlakson.

NOES (1)—Senator Machado.

SB 1770—Do pass as amended

AYES (5)—Senators Ackerman, Machado, Margett, Perata, and Torlakson.

NOES (1)—Senator Hollingsworth.

SB 1771—Do pass, to Consent Calendar

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

SB 1773—Do pass as amended

AYES (5)—Senators Ackerman, Machado, Margett, Perata, and Torlakson.

NOES (1)—Senator Hollingsworth.

SB 1874—Do pass, to Consent Calendar

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

SB 1905—Do pass

AYES (2)—Senators Perata and Torlakson.

NOES (2)—Senators Ackerman and Hollingsworth.

Failed passage

SB 1905—Reconsideration granted

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Torlakson.

NOES (0)—None.

Date of Hearing: 5/5/04

Torlakson (Chair)

Committee on Transportation**SB 1130**—Do pass as amended

AYES (11)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, and Torlakson.

NOES (0)—None.

SCA 20—Do pass as amended and re-refer to Committee on Constitutional Amendments

AYES (11)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, and Torlakson.

NOES (0)—None.

SCR 65—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, and Torlakson.

NOES (0)—None.

SR 33—Do pass

AYES (11)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, and Torlakson.

NOES (0)—None.

Date of Hearing: 5/4/04

Murray (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Romero.

The following Senators were granted leaves of absence for the day due to illness: Senators Bowen and Knight.

The following Senator was granted leave of absence for the day due to a death in the family: Senator Soto.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Antonio “Tony” Valle, Jr. of La Habra.

Senator Oller requested that when the Senate adjourns this day it do so in memory of Sharon Neese of Gold River.

May 5, 2004

SENATE JOURNAL

3601

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 8:30 a.m., Thursday, May 6, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDREDTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, May 6, 2004

The Senate met at 8:30 a.m.
Hon. Dede Alpert, of the 39th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent—34.

Quorum present.

(NOTE: Senators Figueroa, Karnette, Morrow, and Romero will be excused this day on legislative business, Senator Knight will be excused this day due to illness, and Senator Soto will be excused this day due to a death in the family.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

As we will pause to celebrate Mother's Day this weekend, we will naturally call to mind the one who gave us life. And as we reflect on the nature of the commitment necessary not only to give life but to sustain it, let us give thanks for the Sophia-Spirits in our lives who, on a daily basis, both give us life and sustain us in who we are as daughters, sons, parents, soul mates, or associates. And let us renew our commitment to always emulate the best of what has been given to us that others might be privileged to know through us the gift of all those who bring into the ordinariness of life the message of God's constant care and desire to repair the world.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Ducheny led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, May 5, 2004

Madam President: The Committee on Rules has examined:

SCR 35	SCR 45	SCR 46
SCR 66	SCR 73	

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 5th day of May, 2004, at 4:30 p.m.

BURTON, Chair

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures were placed on the Special Consent Calendar to be taken up on this day:

ACR 191	ACR 212	ACR 214	ACR 215
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CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS**

Senate Bill 1421—An act to add Section 51224.7 to the Education Code, relating to instruction.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1454—An act to add Section 42238.10 to the Education Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Rules were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1510—An act to amend Sections 52904, 54686.2, 58562, and 99242 of, to amend and repeal Sections 37252.8, 37253, 42239.1, 42239.15, 42241.2, 42243.7, 48431.6, 48431.7, and 48644.5 of, to amend, repeal, and add Sections 42238, 42238.5 and 42239 of, to add Sections 411, 18185, 32228.6, 32296.10, 42289.6, 44279.8, 44309, 44387, 44399.5, 44509, 44579.6, 47774, 48642, 52335.11, 52891, 53032, 53095, 54206, 54669, 54698, 54735, 54763, and 58737 to, to add Chapter 3.2 (commencing with Section 41500) to Part 24 of, and to repeal and add Section 42240 of, the Education Code, relating to education finance.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1630—An act to amend Section 35179.1 of, and to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1645—An act to amend Sections 54028, 54030, 54031, and 62000.2 of, to repeal and add Section 54026 of, and to repeal Sections 54022, 54023, 54024, 54025, 54027, and 54033 of, the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1723—An act to add and repeal Section 19006 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1317—An act to repeal Section 11382 of the Elections Code, relating to elections.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1458—An act to amend Section 85300 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1653—An act to amend Section 87100 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1490—An act to amend Section 6140 of the Business and Professions Code, relating to attorneys.

Bill read second time and ordered to third reading.

Senate Bill 1528—An act to amend Section 309 of the Corporations Code, relating to corporations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1822—An act to add Title 1.81.15 (commencing with Section 1798.88) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1306—An act to amend Sections 8, 195, 307, 314, 600, 601, 603, 1500, 1501, 5079, 5211, 5215, 5510, 5511, 5513, 6320, 6321, 6322, 7211, 7215, 7510, 7511, 7513, 8320, 8321, 8322, 9211, 9215, 9411, 9413, 9510, 12254, 12351, 12355, 12460, 12461, 12463, 12590, 12591, 12592, 16101, 16403, 17001, 17058, 17104, and 17106 of, and to add Sections 20 and 21 to, the Corporations Code, relating to business organizations.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1166—An act to add Section 4217 to the Government Code, relating to public works.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1489—An act to amend Section 33080.2 of the Health and Safety Code, relating to redevelopment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1771—An act to amend Section 54954 of the Government Code, relating to school districts.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1874—An act to amend Section 170054 of the Public Utilities Code, relating to airports.

Bill read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1190—An act relating to the Vallejo City Unified School District, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1534—An act to add Section 19582.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1355—An act to amend Section 1271 of the Business and Professions Code, relating to cytotechnologists.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1520—An act to add Chapter 13.4 (commencing with Section 25980) to Division 20 of the Health and Safety Code, relating to force fed birds.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1215—An act to add Section 712.5 to the Fish and Game Code, relating to wildlife resources.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1796—An act to amend Section 912 of the Evidence Code, to amend Sections 3304 and 68115 of the Government Code, to amend Section 11100 of the Health and Safety Code, to amend Sections 266h, 266i, 290.01, 337j, 629.61, 666.7, 836, 1170.11, 1203.4a, 1337, 1341, 1372, 1405, 4501, 11171, 13010, 13014, 13022, 13510.7, 13823.9, and 13879.81 of the Penal Code, and to amend Sections 285 and 15763 of the Welfare and Institutions Code, relating to public safety.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 782—An act to repeal and add Section 2024.5 of, and to add Section 2024.6 to, the Family Code, relating to court records, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1618—An act to add Section 7661 to the Public Utilities Code, relating to railroad corporations, 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, **SB 1423** was re-referred to the Committee on Appropriations.

THIRD READING OF SENATE BILLS

Senate Bill 1264—An act to repeal Section 64.5 of the Harbors and Navigation Code, and to amend Sections 5018.1, 5019.11, 6331.5, and 29777 of, to amend the heading of Chapter 1.77 (commencing with Section 5097.993) of Division 5 of, to amend and renumber Sections 5097.993, 5097.994, 5097.995, and 5097.996 of, and to repeal Sections 5019.15, 6226, 22054, 25689, and 30237 of, the Public Resources Code, relating to natural resources.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McPherson, Perata, Poochigian, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution 28—Relative to gasoline.

Resolution read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Speier, Torlakson, and Vincent.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

Senate Bill 1529—An act to amend Sections 9, 202, 203, 204, 205, 252, 253, and 431 of, to amend the heading of Article 6 (commencing with Section 671) of Chapter 3 of Part 5 of, to add Section 202.5 to, to add Chapter 3.5 (commencing with Section 685) to Part 5 of, to repeal Sections 136, 671, and 673 of, to repeal Chapter 2 (commencing with Section 221) of Part 3 of, and to repeal Article 2 (commencing with Section 471) of Chapter 8 of Part 4 of, the Monterey Peninsula Water Management District

Law (Chapter 527 of the Statutes of 1977), relating to the Monterey Peninsula Water Management District.

Bill read third time and presented by Senator McPherson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Cedillo, Denham, Ducheny, Hollingsworth, Johnson, Kuehl, Machado, Margett, McPherson, Murray, Oller, Perata, Poochigian, Scott, Torlakson, Vasconcellos, and Vincent.

NOES (4)—Senators Dunn, Florez, McClintock, and Speier.

Bill ordered transmitted to the Assembly.

Senate Bill 1745—An act to add Section 1271.15 to the Health and Safety Code, and to add Section 5675.2 to the Welfare and Institutions Code, relating to mental health.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Florez, Johnson, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Torlakson:

Senate Chamber, May 5, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(6) in order that SB 1404 may be reported by the Committee on Local Government after the May 7, 2004 deadline.

SENATOR TORLAKSON

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rule 61(b)(6) be dispensed with as requested.

Resolution read and presented by Senator Johnson.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Cedillo, Chesbro, Denham, Ducheny, Dunn,

Escutia, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

CONSIDERATION OF DAILY FILE (RESUMED)
CONSENT CALENDAR
Objection Raised

Senator Ashburn objected to **SB 1848** being on the Special Consent Calendar.

The President ordered the above measure placed on the third reading file.

Senate Bill 1225—An act to amend Section 259 of the Code of Civil Procedure, and to amend Section 71601 of the Government Code, relating to courts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1658—An act to amend Section 44251 of the Education Code, relating to school credentials.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1816—An act relating to school employees.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1465—An act to amend Section 1985.6 of the Code of Civil Procedure, relating to the production of evidence.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Assembly Concurrent Resolution 191—Relative to firefighters.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 212—Relative to California Peace Officers' Memorial Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 214—Relative to Children's Fitness and Nutrition Week 2004.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 215—Relative to Children's Memorial Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1766—An act to add Section 47605.2 to the Education Code, relating to charter schools.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1601—An act to amend Sections 31641.4 and 31664.65 of, and to add Section 31764.8 to, the Government Code, relating to county employees' retirement.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

May 6, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1264—Aye SJR 28—Aye SB 1745—Aye
Consent Calendar—Aye

JOHN L BURTON, President pro Tempore

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Figueroa, Karnette, Morrow, and Romero.

The following Senator was granted leave of absence for the day due to illness: Senator Knight.

The following Senator was granted leave of absence for the day due to a death in the family: Senator Soto.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:21 a.m., on motion of Senator Johnson, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Johnson moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, May 10, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 6, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 1320

Assembly Chamber, May 6, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1898	AB 2150	AB 2562	AB 2916
AB 1990	AB 2156	AB 2628	
AB 2093	AB 2370	AB 2643	
AB 2132	AB 2407	AB 2849	

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 1898—An act to amend Section 1799.2 of the Health and Safety Code, relating to emergency medical services.

Assembly Bill 1990—An act to amend Section 16461 of the Probate Code, relating to trusts.

Assembly Bill 2093—An act to amend Sections 72505, 72521, and 72530 of, and to add Section 72525 to, the Public Resources Code, relating to vessels.

Assembly Bill 2132—An act to add Section 49414.7 to the Education Code, relating to pupil health.

Assembly Bill 2150—An act to amend Section 5107 of the Business and Professions Code, relating to accountancy.

Assembly Bill 2156—An act to amend Section 23057 of the Financial Code, relating to deferred deposit transactions.

Assembly Bill 2370—An act to add Section 51207 to the Education Code, relating to courses of study.

Assembly Bill 2407—An act to repeal and add Section 46111 of the Education Code, relating to kindergarten.

Assembly Bill 2562—An act to amend Section 7583.9 of the Business and Professions Code, relating to private patrol operators.

Assembly Bill 2628—An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

Assembly Bill 2643—An act to add Section 25314 to the Public Resources Code, relating to energy.

Assembly Bill 2849—An act to amend Section 66602 of the Education Code, relating to the California State University.

Assembly Bill 2916—An act to amend Sections 35171, 35221, and 35231 of the Food and Agricultural Code, relating to milk products.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, May 6, 2004

The Committee on Rules has re-referred the following measure to committee:

Local Government—AB 434.

Committee on Insurance

Date of Hearing, May 5, 2004

Madam President: The Committee on Insurance, to which were referred:

SB 1088 SB 1157 SB 1286

Reports the same back with the recommendation: Do pass.

SPEIER, Chair

Above bills ordered to second reading.

Committee on Health and Human Services

Date of Hearing, May 5, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AJR 41

Reports the same back with the recommendation: Be adopted and be placed on the Consent Calendar.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, May 5, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 1373

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 measure re-referred to the Committee on Appropriations.

Committee on Appropriations

Senate Chamber, May 6, 2004

Madam President: The Chair of the Committee on Appropriations, to which was referred:

AB 113

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 113—An act to amend Section 12012.85 of the Government Code, relating to gaming.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Senate Chamber, May 6, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

SB 1090	SB 1326	SB 1535	SB 1725
SB 1135	SB 1358	SB 1540	SB 1776
SB 1152	SB 1360	SB 1555	SB 1797
SB 1158	SB 1363	SB 1567	SB 1895
SB 1201	SB 1429	SB 1568	SB 1911
SB 1289	SB 1481	SB 1637	SB 1915
SB 1291	SB 1484	SB 1646	
SB 1310	SB 1488	SB 1711	
SB 1324	SB 1516	SB 1722	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, May 6, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

SB 1271 SB 1781

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, May 6, 2004

Madam President: The Committee on Appropriations, to which was referred:

SB 1891

Reports the same back pursuant to Senate Rule 28.8, but first be re-referred to the Committee on Rules.

ALPERT, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, May 3, 2004

Madam President: The Committee on Appropriations, to which was referred:

SB 1352

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Banking, Commerce and International Trade

Date of Hearing, May 5, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which were referred:

SB 1292

AJR 14

Reports the same back with the recommendation: Do pass.

FLOREZ, Chair

Above bill ordered to second reading.

Above resolution ordered to third reading.

Committee on Education

Senate Chamber, May 6, 2004

Madam President: The Chair of the Committee on Education, to which were referred:

SB 1377

AB 1175

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1377—An act to amend Sections 45103.1, 45103.5, 88003.1, and 88004.5 of the Education Code, and to add Section 3543.9 to the Government Code, relating to school employees.

Bill read second time.

Assembly Bill 1175—An act to amend Sections 44775.1 and 44775.7 of, to add Section 44775.9 to, the Education Code, and to repeal Section 5 of Chapter 702 of the Statutes of 2002, relating to public schools.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, May 6, 2004

Madam President: The Chair of the Committee on Business and Professions, to which was referred:

AB 1721

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 1721—An act to amend Section 12024.2 of, and to add Section 12011.1 to, the Business and Professions Code, relating to prices.

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

Date of Hearing, May 5, 2004

Madam President: The Committee on Local Government, to which was referred:

SB 1266

Reports the same back with the recommendation: Do pass as amended.

TORLAKSON, Chair

Above measure ordered to second reading.

Date of Hearing, May 5, 2004

Madam President: The Committee on Local Government, to which was referred:

SB 1514

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

TORLAKSON, Chair

Above measure ordered to second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SB 1606** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 403)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 403 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 403

Assembly Bill 403—An act to amend Section 12104 of, and to add Section 12200.9 to, the Financial Code, relating to check sellers and proraters, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read.

Motion to Amend

Amendments to AB 403 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 1848—An act to add and repeal Section 14601.9 of the Vehicle Code, relating to vehicles.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1848 pursuant to Joint Rule 58.

SENATOR ASHBURN

Permission of Rules Committee

Senate Chamber, May 6, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1848.

BURTON, Chair

Amendments Adopted

Amendments to SB 1848 proposed by Senator Ashburn were read and adopted and the measure ordered printed, engrossed, and to second reading.

Senate Bill 1800—An act to amend Section 12810 of, and to add Section 23123 to, the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Adopted

Amendments to SB 1800 proposed by Senator Murray were read and adopted and the measure ordered printed, engrossed, and to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURE

The following measure was introduced, read the first time and transmitted to the Committee on Rules:

Senate Resolution 38: By Senators Poochigian and Alpert—Relative to California Charter Schools Week.

SENATE COMMITTEE ROLL CALLS**Committee on Banking, Commerce and International Trade****SB 1292**—Do pass

AYES (8)—Senators Denham, Ducheny, Dunn, Florez, Karnette, McClintock, Murray, and Perata.

NOES (1)—Senator Hollingsworth.

SB 1451—Do pass as amended

AYES (5)—Senators Ducheny, Dunn, Florez, Karnette, and Murray.

NOES (3)—Senators Denham, Hollingsworth, and McClintock.

SB 1492—Do pass as amended

AYES (5)—Senators Dunn, Florez, Karnette, Murray, and Perata.

NOES (3)—Senators Denham, Hollingsworth, and McClintock.

SJR 20—Do pass as amended

AYES (7)—Senators Ducheny, Dunn, Florez, Karnette, McClintock, Murray, and Perata.

NOES (2)—Senators Denham and Hollingsworth.

AJR 14—Do pass

AYES (8)—Senators Denham, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (1)—Senator Ducheny.

Date of Hearing: 5/5/04

Florez (Chair)

Committee on Health and Human Services**SB 1386**—Do pass as amended

AYES (8)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Vasconcellos, and Vincent.

NOES (1)—Senator Ashburn.

SB 1444—Do pass as amended

AYES (7)—Senators Alarcón, Escutia, Figueroa, Florez, Kuehl, Vasconcellos, and Vincent.

NOES (1)—Senator Ashburn.

SB 1847—Do pass as amended

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Vasconcellos, and Vincent.

NOES (0)—None.

SB 1912—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Vasconcellos, and Vincent.

NOES (0)—None.

SJR 29—Do pass as amended

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Vasconcellos, and Vincent.

NOES (2)—Senators Aanestad and Ashburn.

AB 1373—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Vasconcellos, and Vincent.

NOES (0)—None.

AJR 41—Do pass, to Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Vasconcellos, and Vincent.

NOES (0)—None.

Date of Hearing: 5/5/04

Ortiz (Chair)

Committee on Insurance

SB 1088—Do pass

AYES (8)—Senators Escutia, Figueroa, Johnson, Morrow, Oller, Ortiz, Scott, and Speier.

NOES (0)—None.

SB 1157—Do pass

AYES (5)—Senators Escutia, Figueroa, Ortiz, Scott, and Speier.

NOES (2)—Senators Morrow and Oller.

SB 1286—Do pass

AYES (6)—Senators Escutia, Figueroa, Johnson, Ortiz, Scott, and Speier.

NOES (1)—Senator Morrow.

SB 1323—Do pass as amended

AYES (5)—Senators Escutia, Figueroa, Ortiz, Scott, and Speier.

NOES (2)—Senators Johnson and Oller.

SB 1347—Do pass as amended

AYES (6)—Senators Escutia, Figueroa, Morrow, Ortiz, Scott, and Speier.

NOES (1)—Senator Johnson.

SB 1349—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Figueroa, Ortiz, Scott, and Speier.

NOES (2)—Senators Johnson and Oller.

SB 1474—Do pass as amended

AYES (5)—Senators Escutia, Figueroa, Ortiz, Scott, and Speier.

NOES (2)—Senators Johnson and Oller.

SB 1495—Do pass as amended

AYES (6)—Senators Escutia, Figueroa, Johnson, Ortiz, Scott, and Speier.

NOES (0)—None.

SB 1855—Do pass as amended

AYES (6)—Senators Escutia, Figueroa, Morrow, Ortiz, Scott, and Speier.

NOES (0)—None.

SB 1872—Do pass as amended

AYES (7)—Senators Escutia, Figueroa, Johnson, Morrow, Ortiz, Scott, and Speier.

NOES (0)—None.

Date of Hearing: 5/5/04

Speier (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Alpert requested that when the Senate adjourns this day it do so in memory of Tom Mack of San Diego.

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of Sgt. Marvin Sprayberry III of Tehachapi High School.

Senator Burton requested that when the Senate adjourns this day it do so in memory of Dorothy Anne Blake of Sonoma.

Senator McPherson requested that when the Senate adjourns this day it do so in memory of Kelsey Pfothenhauer of Santa Cruz.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Mike Matoian and Lawrence Henry “Bill” and Emma Lauck of Fresno.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Johnson, the Senate adjourned pursuant to the Senators’ requests until 10:30 a.m., Monday, May 10, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, May 10, 2004

The Senate met at 10:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Pochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos—37.

Quorum present.

(NOTE: Senator Vincent will be excused this day due to a family illness and Senator Sher will be excused this day due to illness.)

PRAYER

The Chaplain offered the following prayer in honor and in memory of Col. "Pete" Knight, Senator from the 17th District:

HIGH FLIGHT

Oh, I have slipped the surly bonds of earth
 And danced the skies on laughter-silvered wings;
 Sunward I've climbed, and joined the tumbling mirth
 Of sun-split clouds—and done a hundred things
 You have not dreamed of—wheeled and soared and swung
 High in the sunlit silence. Hov'ring there,
 I've chased the shouting wind along, and flung
 My eager craft through footless halls of air.
 Up, up the long delirious, burning blue
 I've topped the windswept heights with easy grace
 Where never lark, or even eagle flew.
 And, while with silent, lifting mind I've trod
 The high untrespassed sanctity of space,
 Put out my hand, and touched the face of God.

Into Your eternal glory, O Lord, we commend his immortal spirit.—AMEN.

(John Gillespie Magee, Jr., Adapted)

TAPS

Taps was played by Maj. Robert G. Little, USAF (Ret.).

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Denham led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 6, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 118 ACR 168 ACR 203 ACR 208

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 118—Relative to public broadcasting.

Assembly Concurrent Resolution 168—Relative to Korean War Armistice Day.

Assembly Concurrent Resolution 203—Relative to the California National Guard “Adopt an Armory” program.

Assembly Concurrent Resolution 208—Relative to State Parks Month.

**REPORTS OF STANDING COMMITTEES
Committee on Environmental Quality**

Date of Hearing, May 3, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

SB 1690

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

SHER, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, May 4, 2004

Mr. President: The Committee on Judiciary, to which was referred:

SB 1357

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

ESCUZIA, Chair

Above measure ordered to second reading.

Date of Hearing, May 4, 2004

Mr. President: The Committee on Judiciary, to which was referred:

SB 1508

Reports the same back with the recommendation: Do pass as amended.

ESCUZIA, Chair

Above measure ordered to second reading.

Committee on Banking, Commerce and International Trade

Date of Hearing, May 5, 2004

Mr. President: The Committee on Banking, Commerce and International Trade, to which were referred:

SB 1451

SB 1492

Reports the same back with the recommendation: Do pass as amended.

FLOREZ, Chair

Above measures ordered to second reading.

Committee on Health and Human Services

Date of Hearing, May 5, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

SB 1386

SB 1444

Reports the same back with the recommendation: Do pass as amended.

ORTIZ, Chair

Above measures ordered to second reading.

Date of Hearing, May 5, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

SB 1912

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Education

Senate Chamber, May 10, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 1564

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1564—An act to add Sections 56000.6 and 56000.8 to the Education Code, relating to special education.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Transportation

Date of Hearing, May 4, 2004

Mr. President: The Committee on Transportation, to which was referred:

SCA 20

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Constitutional Amendments.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, May 4, 2004

Mr. President: The Committee on Transportation, to which was referred:
SCR 65

Reports the same back with the recommendation: Be adopted as amended,
but first amend, and re-refer to the Committee on Appropriations with the
recommendation: To Consent Calendar.

MURRAY, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, May 4, 2004

Mr. President: The Committee on Judiciary, to which was referred:
SB 1678

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing, May 4, 2004

Mr. President: The Committee on Revenue and Taxation, to which was
referred:

SB 1572

Reports the same back with the recommendation: Do pass as amended, but
first amend, and re-refer to the Committee on Appropriations.

CEDILLO, Chair

Above measure ordered to second reading.

Committee on Insurance

Date of Hearing, May 5, 2004

Mr. President: The Committee on Insurance, to which was referred:
SB 1872

Reports the same back with the recommendation: Do pass.

SPEIER, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, May 10, 2004

Mr. President: The Chair of the Committee on Appropriations, to which
was referred:

SB 1630

Reports the same back with author's amendments with the
recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1630—An act to amend Section 35179.1 of, and to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Transportation

Date of Hearing, May 4, 2004

Mr. President: The Committee on Transportation, to which was referred:

SB 1130

Reports the same back with the recommendation: Do pass as amended.

MURRAY, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, May 5, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

SB 1847

Reports the same back with the recommendation: Do pass as amended.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, May 4, 2004

Mr. President: The Committee on Judiciary, to which was referred:

SB 1368

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, May 4, 2004

Mr. President: The Committee on Judiciary, to which were referred:

SB 1436

SB 1633

SB 1682

SB 1833

SB 1839

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measures ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1088—An act to amend Section 11521.2 of the Insurance Code, relating to grants and annuities societies.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1157—An act to amend Section 10369.12 of the Insurance Code, relating to insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1286—An act to amend Section 762 of the Insurance Code, relating to insurance agents and brokers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1090—An act to amend Section 798.71 of the Civil Code, and to amend Sections 18060.5, 18062.2, and 18063 of the Health and Safety Code, relating to manufactured homes and mobilehomes.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1135—An act to add and repeal Section 35401.9 to the Vehicle Code, relating of vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1152—An act to amend Sections 12071 and 12316 of, and to add Section 12326 to, the Penal Code, relating to ammunition.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1158—An act to add Section 1367.195 to the Health and Safety Code, and to add Section 10123.75 to the Insurance Code, relating to health care.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1201—An act to amend Section 701.8 of the Public Utilities Code, relating to electrical restructuring, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1289—An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1291—An act to add Section 12939 to the Insurance Code, relating to the Insurance Commissioner.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1310—An act to amend Section 127 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to the Metropolitan Water District of Southern California.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1324—An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1326—An act to amend Sections 11047 and 11102 of the Elections Code, relating to elections.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1358—An act to add Section 12528.1 to the Government Code, relating to Medi-Cal.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1360—An act to add Section 14107.12 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1363—An act to add Article 3.5 (commencing with Section 17568.5) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, and to amend Section 396 of the Penal Code, relating to advertising.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1429—An act to amend Sections 13380 and 23612 of the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1481—An act relating to tidelands and submerged lands of the City of Vallejo.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1484—An act to amend Sections 647 and 647.7 of the Penal Code, relating to disorderly conduct.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1488—An act to amend Section 583 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1516—An act to amend Sections 3043, 3043.2, 3043.25, and 3043.3 of the Penal Code, relating to parole.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1535—An act to add Section 66025.2 to the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1540—An act to amend Section 1255.1 of the Health and Safety Code, relating to health facilities.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1555—An act to add Section 10123.865 to the Insurance Code, relating to health care benefits.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1567—An act to add Section 31165 to the Public Resources Code, relating to the San Francisco Bay Area Conservancy Program.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1568—An act to amend Sections 66633, 66637, 66638, 66639, 66640, and 66641.5 of, and to add Section 66612 to, the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Senate Bill 1637—An act to amend Sections 253, 261, and 10000 of, to add Article 2 (commencing with Section 1520) to Chapter 12 of Division 1 of, and to repeal Section 1239 of, the Financial Code, relating to financial institutions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1646—An act relating to firefighters.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1711—An act to amend Sections 3008 and 3050 of, and to repeal Article 3 (commencing with Section 3052) of Chapter 6 of Division 2 of, the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1722—An act to add Section 25249.37 to the Health and Safety Code, relating to toxic substances.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1725—An act to amend Sections 415, 462, 467, 545, 2418.5, 5007, 9410, 22507.5, 22511.5, 22511.55, 22511.57, 22511.59, 22511.8, 22652, 22658.2, and 25276 of, and to add Section 5007.5 to, the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1776—An act to add and repeal Sections 25550 and 25550.5 of the Public Resources Code, relating to energy resources.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1797—An act to amend Section 21647 of the Business and Professions Code, and to amend Sections 832.15, 11108.3, 12010, 12011, 12021 12030, 12078, and 12082 of, to add Section 832.17 to, and to repeal Section 12076.5 of, the Penal Code, relating to firearms.

Senate Bill 1895—An act to add Section 56135.5 to the Education Code, relating to special education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1911—An act to amend Sections 61405 and 62182 of the Food and Agricultural Code, relating to milk.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1915—An act to amend Sections 144, 7069, 7090.1, and 7153.1 of the Business and Professions Code, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1271—An act to repeal Chapter 1037 of the Statutes of 2000, relating to the Grant Joint Union High School District.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1781—An act to add Section 12302.5 to the Penal Code, relating to destructive devices.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1352—An act to amend Sections 6126.3 and 6126.5 of, and to add Sections 6131 and 6132 to, and to repeal Section 6126.6 of, the Penal Code, relating to the Inspector General.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1292—An act to add Section 14411 to the Financial Code, relating to credit unions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1848—An act to add and repeal Section 14601.9 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1800—An act to amend Section 12810 of, and to add Section 23123 to, the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1266—An act to amend Sections 56375 and 56375.3 of the Government Code, relating to annexation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1514—An act to add Article 8.5 (commencing with Section 53880) to Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, relating to assessments.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 403—An act to amend Section 12104 of the Financial Code, relating to check sellers and proraters, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Joint Resolution 41—Relative to psychotropic drugs and youth.

Resolution read second time and ordered to Consent Calendar.

UNANIMOUS CONSENT TO GIVE BILLS SECOND READING

Without objection SB 1690 and SB 1912 were given their second reading upon being reported by committee.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1690—An act to amend Sections 25548.1 and 25548.2 of the Health and Safety Code, relating to hazardous materials.

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 Judiciary.

Senate Bill 1912—An act to add Section 49414.7 to the Education Code, relating to pupil health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senator Romero Presiding

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 710—An act to amend Section 130052 of the Public Utilities Code, relating to transportation.

Bill read third time.

Amendments Adopted

Amendments to AB 710 proposed by Senator Murray were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF SENATE BILLS

Senate Bill 1190—An act relating to the Vallejo City Unified School District, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to SB 1190 proposed by Senator Chesbro were read and adopted and the measure ordered printed, engrossed, and to second reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, May 13, 2004:

SB 1489	SB 1289	SB 1516	SB 1797
SB 1534	SB 1291	SB 1540	SB 1911
SB 1796	SB 1326	SB 1637	SB 1915
SB 1088	SB 1360	SB 1646	SB 1352
SB 1090	SB 1481	SB 1722	SB 1848
SB 1201	SB 1484	SB 1725	

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 782—An act to repeal and add Section 2024.5 of, and to add Section 2024.6 to, the Family Code, relating to court records, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Burton.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, and Vasconcellos.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Scott asked for, and was granted, unanimous consent that ACR 104 be taken up at this time.

Consideration of Assembly Concurrent Resolution 104

Assembly Concurrent Resolution 104—Relative to the Day of the Teacher.

Resolution read third time and presented by Senator Scott.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, and Vasconcellos.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1206—An act to add Section 31539 to the Government Code, relating to county employees' retirement.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett,

McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1196—An act to amend Section 49557.2 of the Education Code, to amend Section 12693.75 of the Insurance Code, and to amend Section 14005.41 of the Welfare and Institutions Code, relating to health care coverage.

Bill read third time and presented by Senator Cedillo.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Cedillo moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1213—An act to amend Section 5074 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

CONSENT CALENDAR

Objections Raised

Senator Poochigian objected to **SB 1874** being on the Consent Calendar.

The President ordered the above measure placed on the third reading file.

Senate Bill 1350—An act to repeal Section 21084.2 of the Public Resources Code, relating to environmental quality.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1883—An act to amend Section 43018 of the Health and Safety Code, relating to air quality.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1884—An act to amend Section 42231 of the Public Resources Code, and to repeal Section 13 of Chapter 60 of the Statutes of 1993, relating to solid waste.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1885—An act to amend Section 21083.8.1 of the Public Resources Code, relating to environmental quality.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1886—An act to amend Sections 40183, 49120, and 49300 of the Public Resources Code, relating to solid waste.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1584—An act to amend Section 23009 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1586—An act to amend Section 12012.85 of the Government Code, relating to gaming.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1699—An act to amend Section 8703 of the Government Code, relating to California-Mexico affairs.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1787—An act to amend Section 11011.15 of the Government Code, relating to state property.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1788—An act to amend Section 10295 of the Public Contract Code, relating to public contracts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1517—An act to amend Sections 51430, 51440, and 51442 of, to amend the heading of Article 3.5 (commencing with Section 51430) of, and to repeal the heading of Article 4 (commencing with Section 51440) of, Chapter 3 of Part 28 of, and to repeal Section 51441 of, the Education Code, relating to public schools.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 74—Relative to California Fitness Month.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1688—An act to add Chapter 8.7 (commencing with Section 1365) to Division 6 of the Military and Veterans Code, relating to veterans.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1407—An act to amend Section 2640 of the Family Code, relating to property.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1134—An act to amend Section 1393.5 of the Labor Code, relating to employment.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1189—An act to amend Section 94 of the Streets and Highways Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1233—An act to amend Section 2985.8 of the Civil Code, to amend Sections 21670.3, 21674.5, 21675, and 21675.1 of the Public Utilities Code, to amend Sections 100.21, 1730, and 1953 of the Streets and Highways Code, and to amend Sections 11205.2, 13370, 21960, and 35401 of, and to add Section 314 to, the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1236—An act to amend Sections 375, 25258, and 25950 of, and to add Section 24255 to, the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1273—An act to amend Section 782 of the Insurance Code, relating to insurance.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1277—An act to amend Sections 2924b, 2924h, 2924j, 2924l, 2934a, 2945, 2945.1, 2945.3, and 2945.4 of the Civil Code, relating to mortgages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1314—An act to amend Sections 11105 and 14203 of the Penal Code, to amend Section 5164 of the Public Resources Code, and to amend Sections 2432.3 and 13377 of the Vehicle Code, relating to criminal history information, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1340—An act to amend Sections 84104, 84203, 84203.5, 84204, 90000, 90003, and 91013.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1344—An act to amend Section 1877.1 of the Insurance Code, and to amend Section 1543 of the Penal Code, relating to insurance fraud.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1353—An act to amend Sections 82027.5, 82030, 84106, and 84202.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1382—An act to amend Section 33344.5 of, and to add Section 33344.6 to, the Health and Safety Code, relating to redevelopment.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1384—An act to amend Section 44274.2 of the Education Code, relating to teacher credentialing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1435—An act relating to the Oakland Army Base.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1449—An act to amend Section 85307 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1479—An act to amend Section 13201 of the Water Code, relating to water quality.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1507—An act to amend Sections 14552.2, 14553.4, and 14554.8 of the Government Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1577—An act to amend Sections 17, 331, 332, 2124, 3400, and 9160 of, and to amend and repeal Section 12223 of, the Elections Code, relating to voting.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1615—An act to amend Sections 43843 and 44004 of the Health and Safety Code, to amend Section 4000.1 of, and to repeal Section 4000.2 of, of the Vehicle Code, relating to air pollution.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1622—An act relating to the Oakland Estuary.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1647—An act to amend Section 25503.6 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1663—An act to add Section 4730.2 to, and to repeal and add Section 4730.3 of, the Health and Safety Code, relating to sanitation districts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1696—An act to amend Sections 13352, 13352.4, 13352.5, 13352.6, 23538, and 23542 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1712—An act to amend Section 84602 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1746—An act to amend Section 17912 of the Business and Professions Code, to amend Sections 395.2 and 416.40 of the Code of Civil Procedure, to amend Sections 174.5, 5063.5, 12242.5, 15800, and 21200 of, to amend the heading of Part 5 (commencing with Section 24000) of Title 3 of, to add Sections 16309 and 16310 to, to add Part 1 (commencing with Section 18000) to Title 3 of, and to add Chapter 1 (commencing with Section 18605) to Part 2 of Title 3 of, and to repeal Sections 24000, 24001, 24002, 24003, 24004, 24005, 24006, and 24007 of, and to repeal Part 1 (commencing with Section 20000) of, and Chapter 1 (commencing with Section 21000) and Chapter 2 (commencing with Section 21100) of Part 2 of, Title 3 of, the Corporations Code, and to amend Section 50089 of the Government Code, relating to unincorporated associations.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1812—An act to amend Section 19930 of the Business and Professions Code, relating to gambling.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1826—An act to amend Section 19348 of the Food and Agricultural Code, relating to animals.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1873—An act to amend Section 8 of Chapter 898 of the Statutes of 1997, relating to Treasure Island.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1906—An act to amend Section 40433 of, and to add Section 40409 to, the Public Resources Code, relating to solid waste.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1913—An act to amend Sections 28, 1274, 2041, 2462, 2470.14, 2902, 2915.7, 2936, 4005, 4030, 4059.5, 4076, 4081, 4101, 4114, 4200, 4409, 4980.395, 4990.4, 4996.18, 4996.20, and 4996.25 of, and to add Sections 4026.5, 4107, 4208, and 4209 to, the Business and

Professions Code, and to amend Sections 11159.1, 11207, and 111625 of the Health and Safety Code, relating to professions.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1914—An act to amend Sections 7011.4, 7028.1, 7048, 7068, 7071.9, 7071.11, 7083, 7085, 7090.1, 7121, 7137, 8024, 8024.1, 8024.2, and 8027 of, and to repeal Sections 7019.5, 7021, and 7124.5 of, the Business and Professions Code, relating to professions and vocations.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1697—An act to amend Section 11837 of the Health and Safety Code, and to amend Sections 1803, 13352, 13352.5, 13353, 13353.3, 13353.5, 13353.7, 13954, 14601.2, 23109, 23109.5, 23521, 23536, 23538, 23540, 23542, 23548, 23552, 23556, 23562, 23568, 23660, and 23665 of, and to repeal and add Sections 13352.4 and 13354 of, the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1791—An act to amend Section 12463 of the Government Code, relating to the Controller.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1650—An act to amend Section 12798.1 of the Food and Agricultural Code, relating to pest control.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1856—An act to amend Sections 39011 and 42311.2 of the Health and Safety Code, and to amend Sections 4464 and 4475 of the Public Resources Code, relating to resources.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1768—An act relating to the Inspector General.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1226—An act to add Section 425.10 to the Government Code, relating to State Grass.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1518—An act to amend Sections 802, 803, and 821 of the Food and Agricultural Code, relating to agricultural policy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 1196)

On motion of Senator Cedillo, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1196 was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

COMMUNICATIONS

The following communication was ordered printed in the Journal:

May 10, 2004

The Hon. John Burton

Chairman, Senate Rules Committee

Dear Senator Burton: It is my pleasure to announce the election of Senator Dick Ackerman as the new Senate Republican Leader.

His duties as the Senate Republican Leader will take effect immediately.

Sincerely,

SENATOR CHUCK POOCHIGIAN
Senator, 14th District

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to a family illness: Senator Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Sher.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 11:53 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn on call of the President pro Tempore.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 10, 2004

Madam President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 631

SB 772

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, May 10, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

SCR 60

SCR 62

SCR 75

Above resolutions ordered enrolled.

Assembly Chamber, May 10, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 124

ACR 104

Assembly Chamber, May 10, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1816	AB 2821	AB 2191	AB 2854
AB 1867	AB 2844	AB 2204	AB 2873
AB 1936	AB 2846	AB 2216	AB 2876
AB 2063	AB 2871	AB 2286	AB 2877
AB 2242	AB 2920	AB 2296	AB 2878
AB 2251	AB 2922	AB 2352	AB 3000
AB 2306	AB 2953	AB 2384	AB 3032
AB 2330	AB 3024	AB 2428	AB 3041
AB 2442	AB 3033	AB 2439	AB 3043
AB 2479	AB 3040	AB 2464	AB 3045
AB 2506	AB 3065	AB 2469	AB 3046
AB 2587	AB 1859	AB 2478	AB 3063
AB 2630	AB 1864	AB 2491	AB 3070
AB 2638	AB 1984	AB 2496	AB 3071
AB 2654	AB 1986	AB 2519	AB 3083
AB 2671	AB 2004	AB 2550	AB 3084
AB 2684	AB 2040	AB 2557	AB 3085
AB 2691	AB 2072	AB 2560	AB 3088
AB 2713	AB 2078	AB 2593	AB 3096
AB 2723	AB 2127	AB 2651	
AB 2767	AB 2140	AB 2733	
AB 2782	AB 2165	AB 2749	
AB 2810	AB 2184	AB 2755	

Assembly Chamber, May 10, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 50	ACR 205	ACR 210
AJR 53	AJR 70	

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 1816—An act to amend Section 2220.05 of the Business and Professions Code, relating to medicine.

Assembly Bill 1867—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Assembly Bill 1936—An act to add Chapter 6 (commencing with Section 51960) to Part 2 of Division 1 of Title 5 of the Government Code, to amend Section 50826 of the Health and Safety Code, to amend Section 4127 of the Public Resources Code, and to amend Section 2400 of the Vehicle Code, relating to local government organization.

Assembly Bill 2063—An act relating to public resources, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2242—An act to amend Section 8610 of the Government Code, relating to emergency services.

Assembly Bill 2251—An act to amend Section 21157.6 of the Public Resources Code, relating to environmental quality.

Assembly Bill 2306—An act to amend Section 56376.5 of the Government Code, relating to local agency reorganization.

Assembly Bill 2330—An act to add Section 50980 to the Government Code, relating to volunteer firefighters.

Assembly Bill 2442—An act relating to property taxation.

Assembly Bill 2479—An act to amend Section 53155 of the Government Code, relating to emergency services.

Assembly Bill 2506—An act to add Section 61600.35 to the Government Code, relating to community services districts.

Assembly Bill 2587—An act to amend Sections 108921 and 108922 of the Health and Safety Code, relating to toxic substances.

Assembly Bill 2630—An act to amend Section 101850 of the Health and Safety Code, relating to public health.

Assembly Bill 2638—An act to add Section 6252.5 to the Government Code, and to add Section 18948.1 to the Health and Safety Code, relating to building standards.

Assembly Bill 2654—An act to amend Section 810 of the Business and Professions Code, relating to healing arts.

Assembly Bill 2671—An act to amend Section 4406 of the Commercial Code, relating to commercial law.

Assembly Bill 2684—An act to amend Section 10174 of the Insurance Code, relating to health insurance.

Assembly Bill 2691—An act to amend Sections 22443.1 and 22443.3 of, and to repeal Section 22442.4 of the Business and Professions Code, relating to immigration consultants.

Assembly Bill 2713—An act to add Section 6068.1 to the Business and Professions Code, relating to attorneys.

Assembly Bill 2723—An act to amend Section 1793.2 of the Civil Code, relating to consumer warranties.

Assembly Bill 2767—An act to amend Section 80260 of the Water Code, relating to electricity.

Assembly Bill 2782—An act to amend Section 54954.5 of, and to add Section 54957.11 to, the Government Code, relating to public agencies.

Assembly Bill 2810—An act to amend Section 4612 of the Public Resources Code, relating to forest resources.

Assembly Bill 2821—An act to add Section 14019.7 to the Welfare and Institutions Code, relating to health care services.

Assembly Bill 2844—An act to amend Section 27801 of the Vehicle Code, relating to vehicles.

Assembly Bill 2846—An act to add Section 402.95 to the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2871—An act to amend Section 11364.7 of, and to add Chapter 18 (commencing with Section 121349) to Part 4 of Division 105 of, the Health and Safety Code, relating to clean needle and syringe exchange projects.

Assembly Bill 2920—An act to amend and repeal Section 6723 of the Food and Agricultural Code, relating to nursery stock, and making an appropriation therefor.

Assembly Bill 2922—An act to amend Section 21159.24 of the Public Resources Code, relating to environmental quality.

Assembly Bill 2953—An act to amend Section 44281 of the Health and Safety Code, relating to air pollution.

Assembly Bill 3024—An act to amend Section 52282 of the Food and Agricultural Code, relating to seeds.

Assembly Bill 3033—An act to amend Section 8875.4 of, and to add and repeal Section 8875.10 of, the Government Code, and to repeal Section 19169 of the Health and Safety Code, relating to seismic safety.

Assembly Bill 3040—An act to amend Section 25356.5 of the Health and Safety Code, and to amend Section 13177.7 of the Water Code, relating to hazardous substances.

Assembly Bill 3065—An act to amend Section 65302 of, and to repeal and add Section 65302.5 of, the Government Code, and to repeal Section 4128.5 of the Public Resources Code, relating to general plans.

Assembly Bill 1859—An act to add Section 17350.5 to the Corporations Code and to amend Sections 17941 and 17945 of the Revenue and Taxation Code, relating to limited liability companies.

Assembly Bill 1864—An act to amend Sections 171b, 171.5, 417.2, 626.10, and 12001 of the Penal Code, relating to BB guns.

Assembly Bill 1984—An act to add Section 2715.5 to the Public Resources Code, relating to surface mining

Assembly Bill 1986—An act to amend and repeal Section 361.4 of the Welfare and Institutions Code, relating to dependent children.

Assembly Bill 2004—An act to repeal and add Section 4532 of the Business and Professions Code, relating to psychiatric technicians.

Assembly Bill 2040—An act to amend Sections 13369, 15250, and 15275 of the Vehicle Code, relating to vehicles.

Assembly Bill 2072—An act to amend Section 660 of, and to add and repeal Section 660.2 of, the Harbors and Navigation Code, relating to vessels.

Assembly Bill 2078—An act to amend Sections 11100, 11100.1, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

Assembly Bill 2127—An act to amend Section 9542 of the Welfare and Institutions Code, relating to community-based services.

Assembly Bill 2140—An act to amend Section 5000 of the Fish and Game Code, and to amend Section 80172 of the Food and Agricultural Code, relating to desert species, and making an appropriation therefor.

Assembly Bill 2165—An act to amend Sections 10232.4, 10233, and 10238 of the Business and Professions Code, relating to real estate.

Assembly Bill 2184—An act to amend Section 4008 of, and to add Section 4119.1 to, the Business and Professions Code, and to amend Sections 1261.5 and 1261.6 of the Health and Safety Code, relating to health facilities

Assembly Bill 2191—An act to amend Sections 1603 and 1604 of the Penal Code, relating to crimes.

Assembly Bill 2204—An act to amend Sections 830 and 862 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2216—An act to amend Section 7073 of, and to add Section 7069.1 to, the Business and Professions Code, and to amend Section 802 of the Penal Code, relating to contractors.

Assembly Bill 2286—An act to add Section 49416 to the Education Code, relating to drugs.

Assembly Bill 2296—An act to repeal and add Section 24015 of the Business and Professions Code, relating to alcoholic beverage control.

Assembly Bill 2352—An act to amend Sections 1568.01 and 1568.02 of the Health and Safety Code, relating to care facilities.

Assembly Bill 2384—An act to amend Sections 10163.3, 10172.5, 10174, and 10489.93 of, and to add Sections 10163.35 and 10168.93 to, the Insurance Code, relating to life insurance.

Assembly Bill 2428—An act to amend Section 422.95 of, and to add Sections 422.96 and 422.97 to, the Penal Code, relating to hate crimes.

Assembly Bill 2439—An act to amend Section 115825 of, and to add Section 115843.5 to, the Health and Safety Code, relating to drinking water.

Assembly Bill 2464—An act to amend Sections 3013, 3014, 3016, 3018, 3019, and 3070 of, to add Section 3071 to, and to repeal Sections 3015, 3020, and 3022 of, the Business and Professions Code, relating to healing arts.

Assembly Bill 2469—An act to amend Sections 67312 and 89009 of, and to repeal Section 69563 of, the Education Code, and to amend Section 10860 of the Public Contract Code, relating to public postsecondary education.

Assembly Bill 2478—An act to amend Section 4507 of the Food and Agricultural Code, relating to fairs.

Assembly Bill 2491—An act to amend Sections 22971, 22974.7, 22979, 22979.4, and 22980.2 of, and to add Sections 22978.8 and 22983 to, the Business and Professions Code, and to amend Section 30211 of, and to add Section 30436.1 to, the Revenue and Taxation Code, relating to tobacco products.

Assembly Bill 2496—An act to add Chapter 5.1 (commencing with Section 16524) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to child welfare services.

Assembly Bill 2519—An act to add Sections 7861.5, 8552.1, and 8552.3 to, the Fish and Game Code, relating to fish, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2550—An act to amend Sections 1790, 1792, 1792.4, and 1792.5 of, to add Sections 1792.7, 1792.8, 1792.9, and 1792.10 to, and to repeal Section 1792.1 of, the Health and Safety Code, relating to continuing care contracts.

Assembly Bill 2557—An act to amend Sections 1633 and 1749.1 of, and to add Section 1729.2 to, the Insurance Code, relating to insurance licensing.

Assembly Bill 2560—An act to amend Section 2836.1 of the Business and Professions Code, relating to nursing.

Assembly Bill 2593—An act to amend Section 379.6 of the Public Utilities Code, relating to public utilities.

Assembly Bill 2651—An act to amend Section 5200 of, and to add Section 5408.4 to, the Business and Professions Code, relating to business.

Assembly Bill 2733—An act to amend Sections 4999, 5000, 5003, and 5004 of the Water Code, relating to water.

Assembly Bill 2749—An act to amend Section 11167 of the Penal Code, and to amend Section 16206 of the Welfare and Institutions Code, relating to child protective services.

Assembly Bill 2755—An act to add Section 7.3 to the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session), relating to the Ventura County Watershed Protection District.

Assembly Bill 2854—An act to amend Sections 10404.5 and 10405.7 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2873—An act to add Article 6 (commencing with Section 18973) to Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code, relating to child abuse prevention.

Assembly Bill 2876—An act to add Section 128766 to the Health and Safety Code, relating to health facilities.

Assembly Bill 2877—An act to amend Section 25150.6 of the Health and Safety Code, relating to hazardous waste.

Assembly Bill 2878—An act to amend Section 25511 of the Business and Professions Code, relating to alcoholic beverages.

Assembly Bill 3000—An act to amend Sections 1012 and 1012.2 of the Military and Veterans Code, relating to veterans homes.

Assembly Bill 3032—An act to amend Sections 8875.8 and 8875.9 of the Government Code, relating to seismic safety.

Assembly Bill 3041—An act to amend Sections 100825 and 100831 of the Health and Safety Code, relating to environmental laboratories.

Assembly Bill 3043—An act to amend Section 24045.1 of the Business and Professions Code, relating to alcoholic beverages.

Assembly Bill 3045—An act to amend Section 33294 of the Food and Agricultural Code, relating to milk.

Assembly Bill 3046—An act to amend Section 32814 of the Food and Agricultural Code, relating to milk.

Assembly Bill 3063—An act to amend Section 66801 of the Education Code, relating to community college attendance, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 3070—An act to amend Sections 25102.1 and 25532 of, and to repeal Section 28506 of, the Corporations Code, and to amend Section 22337 of the Financial Code, relating to securities.

Assembly Bill 3071—An act to amend Section 18533 of, and to repeal Section 7057 of, the Revenue and Taxation Code, relating to taxation.

Assembly Bill 3083—An act to amend Section 19540 of, and to add Sections 19411.1, 19411.2, and 19412.1 to, the Business and Professions Code, relating to horse racing.

Assembly Bill 3084—An act relating to tribal gaming.

Assembly Bill 3085—An act to repeal Section 23323 of the Business and Professions Code, relating to alcoholic beverages.

Assembly Bill 3088—An act to amend Section 8549.11 of the Government Code, relating to emergency response.

Assembly Bill 3096—An act to amend Sections 8880.22, 8880.30, 8880.46, and 8880.57 of the Government Code, relating to the California State Lottery.

Assembly Concurrent Resolution 50—Relative to Public Service Recognition Week.

Assembly Concurrent Resolution 205—Relative to Autism Awareness Month.

Assembly Concurrent Resolution 210—Relative to California SAFE KIDS Week.

Assembly Joint Resolution 53—Relative to the Breast Cancer Research Stamp Program.

Assembly Joint Resolution 70—Relative to HIV and AIDS prevention and treatment for women.

REPORTS OF STANDING COMMITTEES

Committee on Public Safety

Senate Chamber, May 10, 2004

Madam President: The Chair of the Committee on Public Safety, to which was referred:

AB 1901

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1901—An act to amend Section 1203.1abc of the Penal Code, relating to criminal offenders.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, May 4, 2004

Madam President: The Committee on Judiciary, to which were referred:

SB 1413

SB 1590

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measures ordered to second reading.

Date of Hearing, May 4, 2004

Madam President: The Committee on Judiciary, to which was referred:

SB 1406

Reports the same back with the recommendation: Do pass as amended and be placed on the Consent Calendar.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Local Government

Date of Hearing, May 5, 2004

Madam President: The Committee on Local Government, to which were referred:

SB 1274

SB 1666

SB 1770

SB 1773

Reports the same back with the recommendation: Do pass as amended.

TORLAKSON, Chair

Above measures ordered to second reading.

Committee on Banking, Commerce and International Trade

Date of Hearing, May 5, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which was referred:

SB 1917

Reports the same back with the recommendation: Do pass.

FLOREZ, Chair

Above bill ordered to second reading.

Committee on Housing and Community Development

Senate Chamber, May 10, 2004

Madam President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 1075

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 1075—An act to amend Section 7072 of the Government Code, relating to enterprise zones.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Banking, Commerce and International Trade

Date of Hearing, May 5, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which was referred:

SJR 20

Reports the same back with the recommendation: Be adopted as amended.

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, May 4, 2004

Madam President: The Committee on Judiciary, to which was referred:

SB 1581

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Senate Chamber, May 10, 2004

Madam President: The Chair of the Committee on Judiciary, to which was referred:

AB 920

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 920—An act to amend Sections 1102.6a, 1102.17, and 1103.2 of the Civil Code, relating to real estate disclosures.

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 83: By Senator Perata—Relative to National Aphasia Awareness Month.

REQUESTS TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Speier:

Senate Chamber, May 10, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(7) in order that the Committee on Insurance may hold an informational hearing after the deadline.

SENATOR SPEIER

The following request was presented by Senator Perata:

Senate Chamber, May 10, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(7) in order that the Committee on Elections and Reapportionment may hold an informational hearing after the deadline.

SENATOR PERATA

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

JOINT RULES DISPENSED WITH

Without objection, pursuant to Joint Rule 33.1, Joint Rule 61(b)(7) was dispensed with as requested.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 113** and **AB 921** were withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

AB 1564 was withdrawn from the Committee on Education and re-referred to the Committee on Rules.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SB 1514** was withdrawn from Committee and placed on file.

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

A monthly report, relating to the Youth and Adult Correctional Agency was received from the Department of Corrections and transmitted to the Committee on Budget and Fiscal Review.

A report, relating to the Institutional Operating Budgets for FY 03–04 was received from the California Department of Corrections and transmitted to the Committee on Budget and Fiscal Review.

Annual report dated: April 15, 2004, relating to Marin County EMS Fund, FY 2002–03 was received from Marin County and transmitted to the Committee on Health and Human Services.

Annual report dated: April 15, 2004, relating to Kern County EMS Fund, FY 2002–03 was received from the Kern County Department of Emergency Medical Services and transmitted to the Committee on Health and Human Services.

Annual report dated: April 15, 2004, relating to Lake County EMS Fund, FY 2002–03 was received from the Lake County Health Services Department and transmitted to the Committee on Health and Human Services.

Annual report dated: April 15, 2004, relating to Mendocino County EMS Fund, FY 2002–03 was received from the Mendocino County Department of Public Health and transmitted to the Committee on Health and Human Services.

Annual report dated: April 15, 2004, relating to Sonoma County EMS Fund, FY 2002–03 was received from the Sonoma County Department of Health Services and transmitted to the Committee on Health and Human Services.

Annual report dated: April 21, 2004, relating to the Riverside County EMS Fund, FY 2002–03 was received from the Riverside County Community Health Agency and transmitted to the Committee on Health and Human Services.

A report dated: April 21, 2004, relating to Activities of the Bureau of Fraudulent Claims, FY 2001–02 was received from Insurance Commissioner and transmitted to the Committee on Labor and Industrial Relations.

A report dated: April 21, 2004, relating to Statewide System of School Support was received from the Department of Education and transmitted to the Committee on Education.

A report dated: April 22, 2004, relating to Changes for Department of General Services' Leases was received from the Department of General Services and transmitted to the Committee on Governmental Organization.

A report dated: April 22, 2004, relating to Energy Acquisition Activities and Expenditures was received from the Department of Water Resources and transmitted to the Committee on Budget and Fiscal Review.

A report dated: April 22, 2003 relating to Enforcement Activities of the Regional Water Quality Control Boards—2003 was received from the State Water Resources Control Board and transmitted to the Committee on Environmental Quality.

Annual report dated: April 22, 2004, relating to the Kern County EMS Fund was received from the Kern County Department of Emergency Medical Services and transmitted to the Committee on Health and Human Services.

A report dated: April 26, 2004, relating to State-Monitored Title 1 Schools School Assistance and Intervention Team (SAIT) and Corrective Actions was received from Department of Education and transmitted to the Committee on Education.

A report dated: April 27, 2004, relating to the California Witness Protection Program was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A report dated: April 28, 2004, relating to the General Plan for the Use of the Lands Being Disposed of was received from the California Lands Commission and transmitted to the Committee on Governmental Organization.

An audit report dated: April 29, 2004, relating to the Fraud Assessment Commission was received from State Auditor and transmitted to the Committee on Rules.

A report dated: April 29, 2004, relating to California Motor Vehicle Service Information Rulemaking Status was received from Air Resources Board and transmitted to the Committee on Transportation.

An qualified initiative: April 30, 2004 , relating to Elections. Primaries. Initiative Constitutional Amendment and Statute was received from the Secretary of State and transmitted to the Committee on Rules.

A qualified initiative: April 30, 2004 , relating to Mental Health Services Expansion and Funding. Tax on Incomes of \$1 Million. Initiative Statute was received from the Secretary of State and transmitted to the Committee on Rules.

A report dated: April 30, 2004, relating to State Regulation on Emissions Trading Methodology was received from Air Resources Board and transmitted to the Committee on Environmental Quality.

A report dated: April 30, 2004, relating Emissions from Tire Burning in the State was received from Air Resources Board and transmitted to the Committee on Environmental Quality.

A quarterly report dated: May 3, 2004, relating to Renewable Energy Program was received from the California Energy Commission and transmitted to the Committee on Energy, Utilities and Communications Committee.

A report dated: May 4, 2004, relating to Categorical Education Program. Flexibility Pilot Program was received from Department of Education and transmitted to the Committee on Education.

A Title Summary dated: April 20, 2004, relating to Personal Income Taxes. Collection. Procedures. Initiative Statute was received from Department of Justice and transmitted to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS**Committee on Banking, Commerce and International Trade****SB 1917**—Do pass

AYES (7)—Senators Denham, Ducheny, Dunn, Florez, Karnette, Murray, and Perata.

NOES (2)—Senators Hollingsworth and McClintock.

Date of Hearing: 5/5/04

Florez (Chair)

SB 1637—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, and Perata.

NOES (0)—None.

SB 1665—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Denham, Ducheny, Hollingsworth, Karnette, and Perata.

NOES (3)—Senators Dunn, Florez, and McClintock.

Date of Hearing: 4/21/04

Florez (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Burton requested that when the Senate adjourns this day it do so in memory of Max Bessler of Sacramento.

Senator Cedillo requested that when the Senate adjourns this day it do so in memory of John De La Torre Navarro of Sacramento.

Senators Ducheny and Alpert requested that when the Senate adjourns this day it do so in memory of Dave Moore of San Diego.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Ezekiel “Zeke” Webber of Los Angeles.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Art Marquez of Suisun City.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Isabel Schnell of Sacramento.

Senator Perata requested that when the Senate adjourns this day it do so in memory of Phillip G. Capitolo of Daly City.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Margaret M. “Dunnie” Castelazo, Dolores Dedekian and George “Corky” Derderian of Fresno.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Sister Valerie Jean Woodward Turner of San Bernardino and Julia Vega of Colton.

ADJOURNMENT

At 3:30 p.m., on motion of the President pro Tempore, the Senate adjourned pursuant to the Senators' requests on call of the President pro Tempore.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 11, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian,
Romero, Scott, Soto, Torlakson, and Vasconcellos—34.

Quorum present.

(NOTE: Senators Bowen, Oller, and Speier will be excused this day on legislative business and Senators Sher and Vincent will be excused this day due to family illnesses.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 10, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 207 ACR 217 ACR 227
AJR 65 AJR 71

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 207—Relative to school health.

Assembly Concurrent Resolution 217—Relative to National Day of Prayer.

Assembly Concurrent Resolution 227—Relative to recognizing May 2004 as Asian and Pacific Islander American Heritage Month.

Assembly Joint Resolution 65—Relative to the Soboba Band of Luiseno Indians.

Assembly Joint Resolution 71—Relative to veterans health care.

REPORTS OF STANDING COMMITTEES

Committee on Insurance

Date of Hearing, May 5, 2004

Mr. President: The Committee on Insurance, to which was referred:
SB 1349

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measure ordered to second reading.

Date of Hearing, May 5, 2004

Mr. President: The Committee on Insurance, to which were referred:

SB 1323 SB 1347 SB 1474
SB 1495 SB 1855

Reports the same back with the recommendation: Do pass as amended.

SPEIER, Chair

Above measures ordered to second reading.

Committee on Health and Human Services

Date of Hearing, May 5, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

SJR 29

Reports the same back with the recommendation: Be adopted as amended.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Transportation

Senate Chamber, May 11, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

SB 1247

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

MURRAY, Chair

Second Reading of Bills—Author’s Amendments

Senate Bill 1247—An act to add and repeal Part 4.5 (commencing with Section 42950) of Division 26 of the Health and Safety Code, relating to air pollution.

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, May 10, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1818

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Date of Hearing, May 10, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1475

SB 1730

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Date of Hearing, May 10, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1162	SB 1511	SB 1792	SB 1890
SB 1269	SB 1700	SB 1849	
SB 1397	SB 1733	SB 1865	

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Senate Chamber, May 10, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1089	SB 1430	SB 1563
SB 1820	SB 1824	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, May 11, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1798

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, May 11, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1221	SB 1480	SB 1632	SB 1275
SB 1261	SB 1751	SB 1809	SB 1753
SB 1425	SB 1794	SB 1155	

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1221—An act to amend Section 46010.1 of the Education Code, relating to pupils.

Bill read second time.

Senate Bill 1261—An act to add Title 17.8 (commencing with Section 99600) to the Government Code, relating to international relations.

Bill read second time.

Senate Bill 1425—An act to add Sections 22050, 22051, 22052, 22053, 22054, 22055, 22056, and 22057 to the Food and Agricultural Code, and to add Article 13.5 (commencing with Section 111221) to Chapter 5 of Part 5 of Division 104 to the Health and Safety Code, relating to food.

Bill read second time.

Senate Bill 1480—An act to amend Section 8670.17.2 of the Government Code, relating to harbors and navigation.

Bill read second time.

Senate Bill 1751—An act to amend Section 11011.15 of the Government Code, relating to state property.

Bill read second time.

Senate Bill 1794—An act to amend Sections 1369, 1370, and 1370.01 of the Penal Code, relating to competency.

Bill read second time.

Senate Bill 1632—An act to add Sections 2254.5 and 17108 to the Corporations Code, and to add Section 7513.7 to the Government Code, relating to public pension systems.

Bill read second time.

Senate Bill 1809—An act to amend Section 2699 of the Labor Code, relating to employment.

Bill read second time.

Senate Bill 1155—An act relating to water.

Bill read second time.

Senate Bill 1275—An act to add Sections 1264, 1264.5, and 1264.6 to the Health and Safety Code, relating to health facilities.

Bill read second time.

Senate Bill 1753—An act to amend Sections 11011 and 11011.5 of, to repeal Section 11011.4 of, and to repeal and add Sections 11011.1 and 11011.3 of, the Government Code, relating to state property.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, May 3, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1369

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1357—An act to amend Sections 8502, 8616.5, 8802, 8912, and 9000 of, and to add Sections 7660.5 and 7907.5 to, the Family Code, and to amend Section 293 of, and to amend and renumber Section 18965 of, the Welfare and Institutions Code, relating to minors.

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.

Senate Bill 1508—An act to add Chapter 7.6 (commencing with Section 1922) to Title 4 of Part 4 of Division 3 of the Civil Code, relating to real property loans.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1451—An act to add Title 1.81.4 (commencing with Section 1798.98) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read second time.

The amendments proposed by the Committee on Banking, Commerce and International Trade were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1492—An act to add Chapter 6.5 (commencing with Section 1112) to Part 3 of Division 2 of the Labor Code, relating to employment.

Bill read second time.

The amendments proposed by the Committee on Banking, Commerce and International Trade were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1386—An act to add Article 9 (commencing with Section 49052) to Chapter 6 of Part 27 of the Education Code, relating to pupils.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1444—An act to add Section 110423.9 to the Health and Safety Code, relating to dietary supplements.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Constitutional Amendment 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIX B thereof, relating to transportation.

Resolution read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Constitutional Amendments.

Senate Concurrent Resolution 65—Relative to the Officer Eugene and Marine Lance Corporal Patrick Doran Memorial Bridge.

Resolution read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1678—An act to add Section 340.35 to the Code of Civil Procedure, relating to statutes of limitation.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1572—An act to add Section 23605 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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.

Senate Bill 1872—An act to amend Section 770.3 of the Insurance Code, relating to life and disability insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1130—An act to amend Section 20209.14 of the Public Contract Code, relating to public contracts.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1847—An act to amend Section 121360.5 of the Health and Safety Code, relating to communicable diseases.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1368—An act to add Section 415.35 to the Code of Civil Procedure, relating to service of process.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1436—An act to add Chapter 32 (commencing with Section 22947) to Division 8 of the Business and Professions Code, relating to business.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1633—An act to add Title 1.81.25 (commencing with Section 1798.91) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1682—An act to amend Section 1365.1 and 1367.1, and to add Section 1367.4 to, the Civil Code, and to amend Section 703.010 of, and to add Sections 704.725 and 729.035 to, the Code of Civil Procedure, relating to common interest developments.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1833—An act to add Title 8 (commencing with Section 945.6) to Part 2 of Division 2 of the Civil Code, relating to construction defects.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1839—An act to repeal and add Section 2782 of the Civil Code, relating to construction contracts.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1190—An act relating to the Vallejo City Unified School District, and making an appropriation therefor .

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1413—An act to amend Section 1255.7 of the Health and Safety Code, relating to abandoned newborns.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1590—An act to add Section 6254.18 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, engrossed, and to third reading.

Senate Bill 1406—An act to amend Section 25118 of the Corporations Code, relating to usury.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to Consent Calendar.

Senate Bill 1514—An act to add Article 8.5 (commencing with Section 53880) to Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, relating to assessments.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1770—An act to add Article 7.4 (commencing with Section 53835) to Chapter 4 of Part 1 of Division 2 of the Government Code, relating to special district indebtedness.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1917—An act to add Article 1.5 (commencing with Section 865) to Chapter 7 of Division 1 of the Financial Code, relating to financial institutions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1274—An act to amend Section 4216.4 of the Government Code, relating to public contracts.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1666—An act to amend Section 22407 of the Public Utilities Code, relating to airports.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1773—An act to amend Section 33002.9 of the Public Utilities Code, relating to transportation.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Joint Resolution 20—Relative to regulation of financial institutions.

Resolution read second time.

The amendments proposed by the Committee on Banking, Commerce and International Trade were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1581—An act to add Section 1363.03 to the Civil Code, relating to common interest developments.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 710—An act to amend Section 130052 of the Public Utilities Code, relating to transportation.

Bill read second time, and ordered third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 710** was re-referred to the Committee on Appropriations.

THIRD READING OF SENATE BILLS

Senate Bill 1159—An act to amend Sections 4145 and 4147 of, and to repeal Section 4146 of, the Business and Professions Code, to amend Section 11364 of, and to add Chapter 13.5 (commencing with Section 121285) to Part 4 of Division 105 of, the Health and Safety Code, and to amend Sections 41770 and 41900 of, and to add Section 41803 to, the Public Resources Code, relating to hypodermic needles and syringes.

Bill read third time.

Amendments Adopted

Amendments to SB 1159 proposed by Senator Vasconcellos were read and adopted and the measure ordered printed, engrossed, and to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 84: By Senator Denham—Relative to the Larry Combs Memorial Rest Stop.

Senate Joint Resolution 30: By Senators Torlakson and Brulte—Relative to federal environmental permit and review process streamlining.

SENATE COMMITTEE ROLL CALLS
Committee on Appropriations

SB 1084—Do pass as amended

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1162—Do pass

AYES (7)—Senators Aanestad, Ashburn, Battin, Burton, Johnson, Machado, and Murray.

NOES (0)—None.

SB 1193—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

SB 1259—Do pass as amended

AYES (8)—Senators Aanestad, Ashburn, Battin, Burton, Johnson, Karnette, Machado, and Murray.

NOES (0)—None.

SB 1269—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

SB 1275—Do pass as amended

AYES (2)—Senators Escutia and Speier.

NOES (6)—Senators Aanestad, Ashburn, Battin, Johnson, Murray, and Poochigian.

Failed passage

SB 1275—Reconsideration granted

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1397—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Johnson.

SB 1437—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1475—Do pass as amended

AYES (9)—Senators Alpert, Battin, Burton, Escutia, Johnson, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1511—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Johnson, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1544—Do pass as amended

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Karnette, Machado, and Murray.

NOES (0)—None.

SB 1700—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Johnson, Machado, Murray, and Poochigian.

NOES (0)—None.

SB 1730—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1733—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

SB 1742—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Battin, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1792—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1849—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1865—Do pass

AYES (9)—Senators Aanestad, Ashburn, Battin, Burton, Johnson, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1890—Do pass

AYES (9)—Senators Aanestad, Alpert, Battin, Escutia, Johnson, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

Date of Hearing: 5/10/04

Alpert (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Bowen, Oller, and Speier.

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Sher and Vincent.

REQUEST TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of James MacDonald of Placentia.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, May 12, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, May 12, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton,
Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Poochigian,
Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos—35.

Quorum present.

(NOTE: Senators Bowen and Murray will be excused this day on legislative business and Senators Sher and Vincent will be excused this day due to family illnesses.)

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing, May 10, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1084	SB 1193	SB 1259
SB 1544	SB 1742	

Reports the same back with the recommendation: Do pass as amended.
ALPERT, Chair

Above measures ordered to second reading.

Committee on Agriculture and Water Resources

Senate Chamber, May 12, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

SB 1620

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

Senate Bill 1620—An act relating to water.

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, May 10, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1313 SB 1391 SB 1587 SB 1916

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, May 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1448 SB 1510 SCA 8

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1448—An act to amend Sections 60601, 60602, 60603, 60607, 60640, 60641, and 60642 of the Education Code, relating to pupil assessment.

Bill read second time.

Senate Bill 1510—An act to amend Sections 52904, 54686.2, 58562, and 99242 of, to amend and repeal Sections 37252.8, 37253, 42239.1, 42239.15, 42241.2, 42243.7, 48431.6, 48431.7, and 48644.5 of, to amend, repeal, and add Sections 42238, 42238.5, and 42239 of, to add Sections 411, 18185, 32228.6, 32296.10, 42289.6, 44279.8, 44309, 44387, 44399.5, 44509, 44579.6, 47774, 48642, 52335.11, 52891, 53032, 53095, 54206, 54669, 54698, 54735, 54763, and 58737 to, to add Chapter 3.2

(commencing with Section 41500) to Part 24 of, and to repeal and add Section 42240 of, the Education Code, relating to education finance.

Bill read second time.

Senate Constitutional Amendment 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 15.5 to Article 1 thereof, relating to prisoners.

Resolution read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Public Employment and Retirement

Senate Chamber, May 12, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 824

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 824—An act relating to state employees

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, May 12, 2004

Mr. President: The Committee on Education, to which was referred:

AB 1670

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Local Government

Date of Hearing, May 12, 2004

Mr. President: The Committee on Local Government, to which were referred:

SCA 21

SCA 22

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Constitutional Amendments.

TORLAKSON, Chair

Above measures re-referred to the Committee on Constitutional Amendments.

Committee on Appropriations

Senate Chamber, May 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1446

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1446—An act to add Section 104324.27 to the Health and Safety Code, relating to environmental 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, May 10, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1437

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time and transmitted to the Committee on Rules:

Senate Joint Resolution 31: By Senator McPherson—Relative to vocational and technical education.

CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS**

Senate Bill 1349—An act to add Section 1375 to the Health and Safety Code, and to add Chapter 7.5 (commencing with Section 10610) to Part 2 of Division 2 of, the Insurance Code, relating to health care coverage.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Senate Bill 1323—An act to add Chapter 11.2 (commencing with Section 679.8) to Part 1 of Division 1 of the Insurance Code, relating to homeowners' insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1347—An act to amend Sections 1351.2 and 1367.01 of the Health and Safety Code, relating to health care.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1474—An act to add Chapter 11.3 (commencing with Section 679.8) to Part 1 of Division 1 of the Insurance Code, relating to homeowners' insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1495—An act to add Section 758.7 to the Insurance Code, relating to insurance fees.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1855—An act to amend Sections 10102 and 10103 of the Insurance Code, relating to homeowners' insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Joint Resolution 29—Relative to food marketing and advertising directed to children.

Resolution read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1818—An act to amend Section 65915 of the Government Code, relating to housing.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1475—An act to add and repeal Section 368.5 of the Penal Code, relating to elder and dependent adult abuse prevention.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1730—An act to amend Sections 316, 340, 1000, 1001, 1201, 1202, 6180, and 6952 of the Elections Code, and to amend Section 84200.4 of the Government Code, relating to primary elections.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1162—An act to add and repeal Article 1.5 (commencing with Section 18705) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1269—An act to amend Sections 11205 and 11205.2 of, and to repeal Section 11205.1 of, the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1397—An act to add Article 4.5 (commencing with Section 40459.5) to Chapter 5.5 of Part 3 of the Health and Safety Code, relating to air pollution.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1511—An act to add Section 352 to the Labor Code, relating to employment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1700—An act to amend Sections 8499.5, 54744, 54745, and 54749 of the Education Code, relating to child care.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1733—An act to add Section 1099 to the Government Code, relating to firearm sales at the Cow Palace.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1792—An act to add Section 14105.16 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1849—An act to amend Sections 84605 and 86117 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1865—An act to amend Sections 1631 and 1632 of, to amend, renumber, and add Section 1632.5 of, and to repeal Sections 1633 and 1633.5 of, the Business and Professions Code, relating to dentistry.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1890—An act to amend Section 40511 of the Public Resources Code, relating to integrated waste management.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1089—An act to add Section 13481.5 to the Water Code, relating to water.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1430—An act to add Section 14105.75 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1563—An act to add Section 4168 to the Business and Professions Code, relating to drug wholesalers and manufacturers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1820—An act to amend Sections 51203, 51243.6, 51283, 56738, and 56754 of, and to amend, repeal, and add Section 51243.5 of, the Government Code, relating to land conservation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1824—An act to amend Sections 1205 and 1218.1 of the Health and Safety Code, relating to clinics.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1798—An act to amend Sections 44277 and 51222 of, and to add Section 54760.2 to, the Education Code, relating to physical education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1369—An act to amend Section 51182 of the Government Code, and to amend Section 4291 of the Public Resources Code, relating to fire protection.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1159—An act to amend Sections 4145 and 4147 of, and to repeal Section 4146 of, the Business and Professions Code, to amend Section 11364 of, and to add Chapter 13.5 (commencing with Section 121285) to Part 4 of Division 105 of, the Health and Safety Code, and to amend Sections 41770 and 41900 of, and to add Section 41803 to, the Public Resources Code, relating to hypodermic needles and syringes.

Bill read second time, ordered engrossed, and to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **SB 1492**, **SB 1847**, and **SB 1590** were re-referred to the Committee on Appropriations.

At the request of Senator Johnson, **SB 1723** was re-referred to the Committee on Appropriations.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1075** was withdrawn from the Committee on Housing and Community Development and re-referred to the Committee on Rules.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on May 17.

SB 631	SB 1413	SB 1495	SB 1792
SB 1872	SB 1514	SB 1730	SB 1865
SB 1833	SB 1274	SB 1269	SB 1890
SB 1839	SB 1581	SB 1700	SB 1430

SENATE COMMITTEE ROLL CALLS

Committee on Education

AB 152—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alpert, Denham, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 1670—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alpert, Denham, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

ACR 116—Be adopted and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Denham, Karnette, McPherson, Romero, Scott, and Speier.

NOES (0)—None.

Date of Hearing: 5/12/04

Vasconcellos (Chair)

Committee on Local Government

SB 1404—Do pass as amended

AYES (5)—Senators Machado, Margett, Perata, Soto, and Torlakson.

NOES (1)—Senator Hollingsworth.

SCA 21—Do pass and re-refer to Committee on Constitutional Amendments

AYES (6)—Senators Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

SCA 22—Do pass and re-refer to Committee on Constitutional Amendments

AYES (6)—Senators Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 434—Do pass as amended

AYES (5)—Senators Hollingsworth, Margett, Perata, Soto, and Torlakson.

NOES (1)—Senator Machado.

Date of Hearing: 5/12/04

Torlakson (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Bowen and Murray.

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Sher and Vincent.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Thursday, May 13, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, May 13, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Morrow, Oller, Ortiz, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos—31.

Quorum present.

(NOTE: Senators Alarcón, Bowen, Dunn, Margett, Murray, and Perata will be excused this day on legislative business and Senators Sher and Vincent will be excused this day due to family illnesses.)

REPORTS OF STANDING COMMITTEES Committee on Appropriations

Senate Chamber, May 13, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1487

SB 1676

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1487—An act to add and repeal Sections 1279.1, 128757.1, 128757.2, and 128757.3 of the Health and Safety Code, relating to health facilities.

Bill read second time.

Senate Bill 1676—An act to amend Section 6129 of the Penal Code, relating to crime.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Date of Hearing, May 12, 2004

Mr. President: The Committee on Rules, to which was referred:

SR 37

Reports the same back with the recommendation: Be adopted.

BURTON, Chair

Above resolution ordered to third reading.

Date of Hearing, May 12, 2004

Mr. President: The Committee on Rules, to which was referred:

SR 38

Reports the same back with the recommendation: Be adopted and be placed on the Consent Calendar.

BURTON, Chair

Above measure ordered to second reading.

State Capitol, May 12, 2004

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:

Joyce Arredondo, Member, Youth Authority Board (4-0)

Howard N. Gould, Commissioner of Financial Institutions (4-0)

R. Kirk Lindsey, Member, California Transportation Commission (4-0)

Anne E. Sheehan, Member, State Personnel Board (4-0)

Burks Dean Shelton, Member, California Gambling Control Commission (4-0)

BURTON, Chair

Above appointments ordered placed on unfinished business file.

Senate Chamber, May 13, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

ACR 217

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Concurrent Resolution 217—Relative to National Day of Prayer.

Resolution 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, May 13, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1302

SB 1333

SB 1462

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1302—An act to amend Sections 111105 and 111140 of the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

Bill read second time.

Senate Bill 1333—An act to add Section 120956 to the Health and Safety Code, and to add Section 14105.75 to the Welfare and Institutions Code, relating to prescription drugs.

Bill read second time.

Senate Bill 1462—An act to amend Section 65040.9 of the Government Code, to amend Sections 21080.1, 21080.4, 21091, and 21152 of, and to add Sections 21068.1 and 21109 to, the Public Resources Code, relating to environmental quality, 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 Public Safety

Senate Chamber, May 13, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 141 AB 1894 AB 2160

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 141—An act to amend Section 1109 of the Evidence Code, relating to domestic violence

Bill read second time.

Assembly Bill 1894—An act to add Section 1536.5 to the Penal Code, relating to business records.

Bill read second time.

Assembly Bill 2160—An act to add Section 11055 to the Penal Code, relating to foreign prosecution.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, May 13, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2795

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 2795—An act to amend Sections 11404, 16051.1, and 16506 of the Welfare and Institutions Code, relating to child welfare services.

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, May 13, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 1818

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 1818—An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

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, May 12, 2004

Mr. President:

The Senate Rules Committee has changed the name of the Select Committee on Gasoline Zone Pricing to the Select Committee on Gasoline and Diesel Pricing. The following members have been appointed to serve on the select committee: Senators Dunn, Chair; Bowen, Escutia and Morrow. There is one remaining vacancy.

BURTON, Chair

State Capitol, May 12, 2004

Mr. President: The Committee on Rules has made the following appointments to boards and commissions:

Appointed Mr. Joseph A. Veronese of San Francisco as a member of the California Council on Criminal Justice to serve at the pleasure of the Rules Committee.

Reappointed Ms. Christine Essel of Los Angeles as a member of the California Film Commission to serve for a two-year pleasure term ending May 18, 2006.

Reappointed Ms. LaFrancine W. Tate of Berkeley as a member of the Board of Registered Nursing to serve for a term ending June 1, 2008.

BURTON, Chair

State Capitol, May 12, 2004

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 4–0, ordered SB 772 (Bowen) re-referred to the Senate Committee on Energy, Utilities and Communications.

BURTON, Chair

Committee on Rules

State Capitol, May 12, 2004

The Committee on Rules has referred the following measures to committee:

Agriculture and Water Resources—AB 1908, AB 2074, AB 2095, AB 2257, AB 2470, AB 2734; AJR 69.

Banking, Commerce and International Trade—AB 1870, AB 1979, AB 2014, AB 2069, AB 2312.

Business and Professions—AB 1887, AB 2008, AB 2226, AB 2390, AB 2409, AB 2552, AB 2660.

Education—AB 1820, AB 1925, AB 1987, AB 2015, AB 2171, AB 2416, AB 2614, AB 2615, AB 2776; ACR 177; AJR 68.

Elections and Reapportionment—AB 2091, AB 2936, AB 3099, AB 3100.

Energy, Utilities and Communications—AB 1889, AB 2172, AB 2505.

Environmental Quality—AB 1934, AB 2528; AJR 72.

Governmental Organization—AB 2164, AB 2401, AB 2927, AB 3089.

Health and Human Services—AB 1881, AB 2026, AB 2049, AB 2795, AB 2820; AJR 61, AJR 62.

Insurance—AB 1953, AB 1955, AB 2490, AB 2639.

Judiciary—AB 1818, AB 1848, AB 1851, AB 1883, AB 2129, AB 2161, AB 2182, AB 2292, AB 2313, AB 2358, AB 2363, AB 2492, AB 2523, AB 2669, AB 2674, AB 2687, AB 3078, AB 3081, AB 3082.

Labor and Industrial Relations—AB 3018.

Local Government—AB 1929, AB 1930, AB 2212, AB 2481.

Natural Resources and Wildlife—AB 2388, AB 2518.

Public Employment and Retirement—AB 2355, AB 2408, AB 2711.

Public Safety—AB 1801, AB 1814, AB 1826, AB 1865, AB 1894, AB 1907, AB 1920, AB 1937, AB 1948, AB 1956, AB 2012, AB 2126, AB 2160, AB 2237, AB 2527, AB 2531, AB 2586, AB 2895; AJR 56, AJR 64.

Revenue and Taxation—AB 1799, AB 1928, AB 2346, AB 3073.

Rules—AB 2466, AB 3031.

Transportation—AB 1787, AB 1951, AB 2027, AB 2085, AB 2139, AB 2458, AB 3048, AB 3050; ACR 142, ACR 145, ACR 151, ACR 156, ACR 162, ACR 163, ACR 179, ACR 180, ACR 185, ACR 189.

The Committee on Rules has referred the following measures to two committees:

Business and Professions and Judiciary—AB 2189.

Education and Veterans Affairs—AB 1997.

Energy, Utilities and Communications and Public Safety—AB 1642.

Environmental Quality and Health and Human Services—AB 2342.

Governmental Organization and Judiciary—AB 2719.

Health and Human Services and Revenue and Taxation—AB 2886.

Housing and Community Development and Judiciary—AB 2581.

Judiciary and Rules—AB 2807.

Labor and Industrial Relations and Judiciary—AB 2317.

Local Government and Judiciary—AB 2318.

Transportation and Environmental Quality—AB 1971.

Transportation and Public Safety—AB 2568, AB 2721.

The Committee on Rules has re-referred the following bills to committee:

Education—AB 921.

Governmental Organization—AB 671.

Health and Human Services—AB 1564.

Local Government—AB 1075.

Natural Resources and Wildlife—AB 113.

Public Employment and Retirement—AB 1281.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1084—An act to amend Section 97.1 of the Streets and Highway Code, and to add Section 42010 to the Vehicle Code, relating to highways.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1916—An act to add Section 12334 to the Government Code, relating to state agency contracts.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1259—An act to amend Section 32569 of the Public Resources Code, relating to the Baldwin Hills Conservancy.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1742—An act to amend Sections 8574.1, 8574.7, 8574.8, 8574.10, 8670.3, 8670.5, 8670.7, 8670.8, 8670.8.5, 8670.9, 8670.10, 8670.13, 8670.13.2, 8670.14, 8670.18, 8670.19, 8670.21, 8670.23, 8670.23.1, 8670.24, 8670.25.5, 8670.26, 8670.27, 8670.28, 8670.29, 8670.31, 8670.35, 8670.36.1, 8670.37.5, 8670.41, 8670.48, 8670.50, 8670.56.5, 8670.56.6, 8670.61.5, and 8670.70 of, to add Section 8670.73 to, and to repeal Sections 8670.36.5 and 8670.52 of, the Government Code, to amend Sections 449.3 and 449.5 of the Harbors and Navigation Code, to amend Section 8750 of the Public Resources Code, to amend Sections 46016, 46018, and 46027 of the Revenue and Taxation Code, and to amend Section 13272 of the Water Code, relating to oil spills.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1193—An act to add Chapter 3.5 (commencing with Section 850) to Division 4 of the Military and Veterans Code, relating to veterans.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1544—An act to amend Section 94999 of the Education Code, relating to private postsecondary education, 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, engrossed, and to third reading.

Senate Bill 1313—An act to amend Sections 11165.1, 11165.3, 11165.5, 11165.6, 11165.7, 11165.12, 11166, 11166.05, 11166, 11166.05,

11167, 11167.5, 11170, 11170.5, and 11172 of, to amend and renumber Sections 11166.7, 11166.8, 11166.9, 11166.95, and 11174.4 of, to add an article heading immediately preceding Section 11174.32 to Chapter 2 of Title 1 of Part 4 of, and to repeal Section 11170.6 of, the Penal Code, and to amend Section 16513 of the Welfare and Institutions Code, relating to child abuse reporting.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1391—An act to amend Sections 6240 and 6389 of the Family Code, and to amend Section 13700 of the Penal Code, relating to domestic violence.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1587—An act to add Section 14776 to the Government Code, relating to state government.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1437—An act to add Section 8546.5 to the Government Code, relating to the State Auditor.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SB 1357** and **SB 1891** were withdrawn from the Committee on Rules and placed on the second reading file.

SENATE COMMITTEE ROLL CALLS

Committee on Rules

SR 37—Be adopted

AYES (4)—Senators Burton, Johnson, Karnette, and Romero.

NOES (0)—None.

SR 38—Be adopted, to Consent Calendar

AYES (4)—Senators Burton, Johnson, Karnette, and Romero.

NOES (0)—None.

Date of Hearing: 5/12/04

Burton (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Alarcón, Bowen, Dunn, Margett, Murray, and Perata.

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Sher and Vincent.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Glenn Wann of Orange.

Senator Alpert requested that when the Senate adjourns this day it do so in memory of Richard Jones of San Diego.

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Gerald Thomas Colwell of Willits.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Tommy Farrell of Woodland Hills.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 10 a.m., Monday, May 17, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, May 17, 2004

The Senate met at 10 a.m.
Hon. Dede Alpert, of the 39th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

O Eternal Word, Who from the beginning has revealed glimpses of truth and righteousness through prophets of many faiths: We praise You that all that is of value is found fulfilled and perfected in You, and all that is mistaken finds its correction in You. Draw all seekers of truth and righteousness to Yourself, and vouchsafe to them the unsearchable riches that are found only in You, dear Lord.—AMEN.

(George Appleton (adapted))

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Perata led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 17, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 140

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 140—Relative to Brown v. Board of Education and Equality in Education Day.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, May 17, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

SB 1354

SB 1419

SB 1439

SB 1500

SB 1694

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1354—An act to add Sections 17039.2 and 23036.2 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Senate Bill 1419—An act to amend Section 52051 of, and to add Sections 52052.1 and 52052.6 to, the Education Code, relating to school accountability.

Bill read second time.

Senate Bill 1439—An act to add Section 632.5 to the Unemployment Insurance Code, relating to unemployment compensation.

Bill read second time.

Senate Bill 1500—An act to amend Section 11629.85 of the Insurance Code, and to amend Section 4000.37 of, to amend, repeal, and add Section 4000.38 of, and to add Section 16058 to, the Vehicle Code, relating to vehicles.

Bill read second time.

Senate Bill 1694—An act to amend Sections 23540, 23546, 23550, 23560, 23566, 23622, and 23646 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 Agriculture and Water Resources

Senate Chamber, May 17, 2004

Madam President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 2095

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 2095—An act to add Article 5.5 (commencing with Section 6010) to Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code, relating to pest control.

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

Date of Hearing, May 12, 2004

Madam President: The Committee on Local Government, to which was referred:

SB 1404

Reports the same back with the recommendation: Do pass as amended.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, May 14, 2004

Madam President: The Committee on Rules has examined:

SCR 60 SCR 62 SCR 74 SCR 75

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 14th day of May, 2004, at 2 p.m.

BURTON, Chair

Committee on Judiciary

Senate Chamber, May 17, 2004

Madam President: The Chair of the Committee on Judiciary, to which was referred:

AB 1264

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 1264—An act to amend Section 4216.8 of the Government Code, relating to excavation equipment.

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, May 17, 2004

Madam President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 606

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 606—An act to add Section 78.5 to 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 Transportation

Senate Chamber, May 17, 2004

Madam President: The Chair of the Committee on Transportation, to which was referred:

ACR 163

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 Concurrent Resolution 163—Relative to the Officer Shannon Distel Memorial Interchange.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, May 17, 2004

Madam President: The Chair of the Committee on Business and Professions, to which was referred:

AB 2226

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 2226—An act to amend Section 2835.5 of the Business and Professions Code, relating to nursing.

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 Resolution 38—Relative to California Charter Schools Week.

Resolution read second time, ordered engrossed, and to Consent Calendar.

Senate Bill 1357—An act to amend Sections 8502, 8616.5, 8802, 8912, and 9000 of, and to add Sections 7660.5 and 7907.5 to, the Family Code, and to amend Section 293 of, and to amend and renumber Section 18965 of, the Welfare and Institutions Code, relating to minors.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1891—An act to amend Section 780.5 of, and to amend and renumber Section 454.1 of, the Public Utilities Code, relating to public utilities.

Bill read second time, ordered engrossed, and to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, May 20:

- | | | |
|---------|---------|---------|
| SB 1742 | SB 1313 | SB 1391 |
| SB 1587 | SB 1437 | SR 37 |

REQUEST FOR UNANIMOUS CONSENT (AB 1486)

Senator Alpert asked for, and was granted, unanimous consent that AB 1486 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1486

Assembly Bill 1486—An act relating to public contracts.

Bill read second time.

Motion to Amend

Amendments to AB 1486 proposed by Senator Alpert were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 598—An act to amend Section 17074.25 of the Education Code, relating to public schools.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 598 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HANCOCK

Permission of Rules Committee

Senate Chamber, May 17, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 598.

BURTON, Chair

Amendments Adopted

Amendments to AB 598 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to second reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 80**, **SCR 82**, **ACR 182**, **ACR 188**, and **ACR 218** were withdrawn from Committee and placed on today's Special Consent Calendar.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Soto:

Senate Chamber, May 17, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(5) and (b)(7) in order that SB 1247 may be reported by the Committee on Transportation after the deadlines.

SENATOR SOTO

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rule 61(b)(5) and (b)(7) be dispensed with as requested.

Resolution read and presented by Senator Brulte.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, and Torlakson.

NOES (0)—None.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS****Consideration of Governor's Appointment**

Senator Burton placed the following Governor's appointment before the Senate:

P. Michael Chrisman, Secretary, Resources Agency.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Burton placed the following Governor's appointment before the Senate:

Terrence A. Tamminen, Secretary, Environmental Protection Agency.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett,

McClintock, McPherson, Ortiz, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (0)—None.

Consideration of Governor's Appointments

Senator Burton placed the following Governor's appointments before the Senate:

Patrick Johnston, Member, California Bay-Delta Authority.

James W. Barthman, Member, State Building Standards Commission.

Mimi H. Silbert, Ph.D., Member, Board of Corrections.

Clint Eastwood, Member, State Park and Recreation Commission.

Gail E. Kautz, Member, State Park and Recreation Commission.

Sophia D. Scherman, Member, State Park and Recreation Commission.

Robert S. Shriver, Member, State Park and Recreation Commission.

Gunnar Lundeborg, Member, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (0)—None.

Consideration of Governor's Appointments

Senator Burton placed the following Governor's appointments before the Senate:

Joyce Arredondo, Member, Youth Authority Board.

Howard N. Gould, Commissioner of Financial Institutions.

R. Kirk Lindsey, Member, California Transportation Commission.

Anne E. Sheehan, Member, State Personnel Board.

Burks Dean Shelton, Member, California Gambling Control Commission.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller,

Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (0)—None.

THIRD READING OF SENATE BILLS

Senate Bill 1521—An act to amend Sections 1060, 1061, and 1063 of the Labor Code, relating to employment.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1163—An act to amend Section 798.38 of the Civil Code and Section 739.5 of the Public Utilities Code, relating to utilities.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1154—An act to add Chapter 23.5 (commencing with Section 22730) to Division 8 of the Business and Professions Code, relating to consumer rebates.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1325—An act to amend Section 2282 of the Business and Professions Code, relating to medicine.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Perata, Romero, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1499—An act to amend Sections 200 and 1102.8 of, and to add Section 221.5 to, the Labor Code, relating to employment.

Bill read third time and presented by Senator Murray.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1284—An act to add Section 3025.5 to the Family Code, relating to family law.

Bill read third time and presented by Senator Morrow.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray,

Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1299—An act to amend Sections 48431.6 and 48431.7 of the Education Code, relating to pupils.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1418—An act to add Article 4 (commencing with Section 40) to Chapter 1 of Part 1 of, and to repeal Section 33080 of, the Education Code, relating to education.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (7)—Senators Ackerman, Ashburn, Brulte, Hollingsworth, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1858—An act to add Section 451.5 to the Public Utilities Code, relating to the statewide emergency telephone system.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata,

Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Battin, Denham, Hollingsworth, Johnson, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1603—An act to amend Sections 20610, 21251.15, 21408, 21409, 21410, 21424, 21543, 22013.7, 75077, 75079, 75091, and 75104.4 of, to amend and renumber Section 20035.5 of, to add Sections 75031.5, 75109.1, 75506.6, and 75611.5 to, and to repeal Sections 21417, 75034.1, and 75094 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1191—An act relating to unemployment insurance.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1464—An act to amend Section 38083 of the Education Code, relating to public schools.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado,

Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Florez, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1652—An act to add Section 25402.10 to the Public Resources Code, relating to solar energy.

Bill read third time and presented by Senator Murray.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Sher, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1362—An act to add Section 25218.13 to the Health and Safety Code, and to add Sections 40190.5, 41502, and 41512 to the Public Resources Code, relating to solid waste.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1456—An act to add Section 114716 to the Health and Safety Code, relating to radiation.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (16)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Ducheny, Hollingsworth, Johnson, Machado, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1176—An act to amend Section 18420 of the Health and Safety Code, relating to mobilehome parks.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Morrow, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1246—An act to add Section 6077.2 to the Business and Professions Code, relating to attorneys.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McClintock, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Ackerman, Ashburn, Battin, Denham, Hollingsworth, Margett, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1248—An act to amend Sections 2850 and 2854 of the Probate Code, relating to trustees.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado,

Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1307—An act to amend Sections 4043, 4053, 4054, 4059.5, 4081, 4100, 4105, 4110, 4160, 4164, 4165, 4166, 4196, 4301, 4305.5, 4331, and 4400 of, to amend, repeal, and add Section 4163 of, to add Sections 4021.5, 4022.5, 4034, 4053.1, 4126.5, 4163.5, and 4168 to, to add and repeal Section 4169 of, and to repeal and add Sections 4161 and 4162 of, the Business and Professions Code, relating to drugs.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Battin, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1330—An act to amend Sections 632.5, 632.6, and 632.7 of the Penal Code, relating to invasions of privacy.

Bill read third time and presented by Senator Murray.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1542—An act to amend Sections 9882 and 9884.17 of the Business and Professions Code, relating to automotive repair.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1543—An act to amend Sections 5000 and 5015.6 of the Business and Professions Code, relating to accountancy.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1545—An act to amend Sections 18602 and 18613 of the Business and Professions Code, relating to the State Athletic Commission.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1546—An act to amend Sections 1601.1, 1616.5, and 1742 of, to amend and repeal Sections 1753.5, 1754, 1756, 1757, and 1760 of, to amend, repeal, and add Sections 1741, 1750, 1751, 1752, 1753, 1765, and 1770 of, and to add Sections 1750.1, 1750.2, 1753.1, 1776, and 1777 to, the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1547—An act to amend Sections 6710 and 6714 of the Business and Professions Code, relating to engineers.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1548—An act to amend Sections 4800 and 4804.5 of the Business and Professions Code, relating to veterinary medicine.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1549—An act to amend Sections 5510, 5517, 5620, 5621, and 5622 of the Business and Professions Code, relating to architects.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1670—An act to amend Section 12309.5 of the Elections Code, relating to elections.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (7)—Senators Ackerman, Battin, Denham, Hollingsworth, Margett, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1729—An act to amend Sections 42301, 42310, and 42310.1 of, and to repeal Sections 42310.3 and 42324 of, the Public Resources Code, relating to solid waste.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, McClintock, Murray, Oller, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (6)—Senators Ackerman, Ashburn, Battin, Brulte, Margett, and McPherson.

Bill ordered transmitted to the Assembly.

Senate Bill 1596—An act to add Section 3695.6 to the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1731—An act to amend Section 6129 of, and to add Section 6130 to, the Penal Code, relating to corrections.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1288—An act to amend Section 19606 of the Business and Professions Code, relating to horse racing.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 1490—An act to amend Section 6140 of the Business and Professions Code, relating to attorneys.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Ortiz,

Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (7)—Senators Battin, Brulte, Denham, Hollingsworth, Johnson, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1528—An act to amend Section 309 of the Corporations Code, relating to corporations.

Bill read third time and presented by Senator Alarcón.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Alarcón moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1355—An act to amend Section 1271 of the Business and Professions Code, relating to cytotechnologists.

Bill read third time and presented by Senator Aanestad.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Hollingsworth, Johnson, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, and Soto.

NOES (2)—Senators Bowen and Speier.

Bill ordered transmitted to the Assembly.

Senate Resolution 33—Relative to the Los Angeles County Metropolitan Transportation Authority.

Resolution read third time and presented by Senator Murray.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 1528)

On motion of Senator Alarcón, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1528 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Perata, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Chesbro moved that **AB 974** be taken from the inactive file and placed on the second reading file.

Motion carried.

CONSENT CALENDAR**Objection Raised**

The President ordered **SB 1291** be removed from the Special Consent Calendar and placed on the third reading file.

Senate Bill 1317—An act to repeal Section 11382 of the Elections Code, relating to elections.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1458—An act to amend Section 85300 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1653—An act to amend Section 87100 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1306—An act to amend Sections 8, 195, 307, 314, 600, 601, 603, 1500, 1501, 5079, 5211, 5215, 5510, 5511, 5513, 6320, 6321, 6322, 7211, 7215, 7510, 7511, 7513, 8320, 8321, 8322, 9211, 9215, 9411, 9413, 9510, 12254, 12351, 12355, 12460, 12461, 12463, 12590, 12591, 12592, 16101, 16403, 17001, 17058, 17104, and 17106 of, and to add Sections 20 and 21 to, the Corporations Code, relating to business organizations.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1771—An act to amend Section 54954 of the Government Code, relating to school districts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 41—Relative to psychotropic drugs and youth.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1406—An act to amend Section 25118 of the Corporations Code, relating to usury.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 80—Relative to Armed Forces Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 82—Relative to Foster Care Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 182—Relative to Hmong-American Veterans Memorial Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 188—Relative to Arthritis Awareness Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 218—Relative to Teacher Appreciation Week.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1489—An act to amend Section 33080.2 of the Health and Safety Code, relating to redevelopment.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1534—An act to add Section 19582.5 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1796—An act to amend Section 912 of the Evidence Code, to amend Sections 3304 and 68115 of the Government Code, to amend Section 11100 of the Health and Safety Code, to amend Sections 266h, 266i, 290.01, 337j, 629.61, 666.7, 836, 1170.11, 1203.4a, 1337, 1341, 1372, 1405, 4501, 11171, 13010, 13014, 13022, 13510.7, 13823.9, and 13879.81 of the Penal Code, and to amend Sections 285 and 15763 of the Welfare and Institutions Code, relating to public safety.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1088—An act to amend Section 11521.2 of the Insurance Code, relating to grants and annuities societies.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1090—An act to amend Section 798.71 of the Civil Code, and to amend Sections 18060.5, 18062.2, and 18063 of the Health and Safety Code, relating to manufactured homes and mobilehomes.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1201—An act to amend Section 701.8 of the Public Utilities Code, relating to electrical restructuring, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1289—An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1326—An act to amend Sections 11047 and 11102 of the Elections Code, relating to elections.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1360—An act to add Section 14107.12 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1481—An act relating to tidelands and submerged lands of the City of Vallejo.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1484—An act to amend Sections 647 and 647.7 of the Penal Code, relating to disorderly conduct.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1516—An act to amend Sections 3043, 3043.2, 3043.25, and 3043.3 of the Penal Code, relating to parole.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1540—An act to amend Section 1255.1 of the Health and Safety Code, relating to health facilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1637—An act to amend Sections 253, 261, and 10000 of, to add Article 2 (commencing with Section 1520) to Chapter 12 of Division 1 of, and to repeal Section 1239 of, the Financial Code, relating to financial institutions.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1646—An act relating to firefighters.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1722—An act to add Section 25249.37 to the Health and Safety Code, relating to toxic substances.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1725—An act to amend Sections 415, 462, 467, 545, 2418.5, 5007, 9410, 22507.5, 22511.5, 22511.55, 22511.57, 22511.59, 22511.8, 22652, 22658.2, and 25276 of, and to add Section 5007.5 to, the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1797—An act to amend Section 21647 of the Business and Professions Code, and to amend Sections 832.15, 11108.3, 12010, 12011,

12021 12030, 12078, and 12082 of, to add Section 832.17 to, and to repeal Section 12076.5 of, the Penal Code, relating to firearms.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1911—An act to amend Sections 61405 and 62182 of the Food and Agricultural Code, relating to milk.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1915—An act to amend Sections 144, 7069, 7090.1, and 7153.1 of the Business and Professions Code, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1352—An act to amend Sections 6126.3 and 6126.5 of, and to add Sections 6131 and 6132 to, and to repeal Section 6126.6 of, the Penal Code, relating to the Inspector General.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1848—An act to add and repeal Section 14601.9 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 631—An act to amend Section 13903 of the Government Code, and to amend Sections 1202.4, 1202.45, 1214, and 2085.5 of, and to add Section 1202.44 to, the Penal Code, relating to restitution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1872—An act to amend Section 770.3 of the Insurance Code, relating to life and disability insurance.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1833—An act relating to construction defects.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1839—An act relating to construction contracts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1413—An act to amend Section 1255.7 of the Health and Safety Code, and to amend Section 271.5 of the Penal Code, relating to abandoned newborns.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1514—An act to add Article 8.5 (commencing with Section 53880) to Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, relating to assessments.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1274—An act to amend Section 4216.4 of the Government Code, relating to public contracts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1581—An act to add Section 1363.03 to the Civil Code, relating to common interest developments.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1495—An act to add Section 758.7 to the Insurance Code, relating to insurance fees.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1730—An act to amend Sections 316, 340, 1000, 1001, 1201, 1202, 1500, 6180, and 6952 of the Elections Code, and to amend Section 84200.4 of the Government Code, relating to primary elections.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1269—An act to amend Sections 11205 and 11205.2 of, and to repeal Section 11205.1 of, the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1700—An act to amend Sections 8499.5, 54744, 54745, and 54749 of the Education Code, relating to child care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1792—An act to add Section 14105.16 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1865—An act to amend Sections 1631 and 1632 of, to amend, renumber, and add Section 1632.5 of, and to repeal Sections 1633 and 1633.5 of, the Business and Professions Code, relating to dentistry.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1890—An act to amend Section 40511 of the Public Resources Code, relating to integrated waste management.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1430—An act to add Section 14105.75 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

May 17, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1499—Aye

SB 1546—Aye

JOHN L BURTON, President pro Tempore

May 17, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1330—Aye

SB 1731—Aye

DICK ACKERMAN, Minority Floor Leader

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 12:14 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, May 18, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, May 10, 2004

Madam President: The Chair of the Committee on Appropriations, to which was referred:

SB 1752

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Aanestad requested that when the Senate adjourns this day it do so in memory of Mary Hearst “Bunny” Ives of McCloud.

Senator Burton requested that when the Senate adjourns this day it do so in memory of Arnold Gridley of San Francisco.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Spc. Ramon Ojeda of Ramona.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Charlie Kent of Thousand Oaks.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Evelyn Lagorio of Stockton.

Senator Perata requested that when the Senate adjourns this day it do so in memory of Morris Soublet of Oakland.

Senator Scott requested that when the Senate adjourns this day it do so in memory of Jim Burham of Eagle Rock.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Alejandro B. Hernandez of Riverside.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Paul Azevedo of Pacifica.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Kathe McCann of Sacramento.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9:30 a.m., Tuesday, May 18, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 18, 2004

The Senate met at 9:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:
Dear Lord, We begin this day with Your Holy Name on our lips. Help us to spend it wisely.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Ashburn led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 17, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1912	AB 2307	AB 2956	AB 2613
AB 2010	AB 2311	AB 3008	AB 2635
AB 2147	AB 2314	AB 3010	AB 2677
AB 2152	AB 2445	AB 3029	AB 2708
AB 2333	AB 2451	AB 3056	AB 2716
AB 2812	AB 2454	AB 3092	AB 2760
AB 2962	AB 2477	AB 1819	AB 2841
AB 1822	AB 2509	AB 1945	AB 2851
AB 1827	AB 2516	AB 1966	AB 2856
AB 1832	AB 2538	AB 1992	AB 2872
AB 1846	AB 2626	AB 1994	AB 2913
AB 1847	AB 2634	AB 1999	AB 2919
AB 1854	AB 2649	AB 2007	AB 2932
AB 1857	AB 2682	AB 2018	AB 2945
AB 1896	AB 2693	AB 2037	AB 3016
AB 1942	AB 2704	AB 2075	AB 3023
AB 1973	AB 2753	AB 2167	AB 3025
AB 2001	AB 2759	AB 2170	AB 3064
AB 2021	AB 2785	AB 2219	AB 3076
AB 2028	AB 2817	AB 2224	AB 3077
AB 2158	AB 2829	AB 2233	AB 3080
AB 2168	AB 2850	AB 2362	AB 3091
AB 2276	AB 2870	AB 2397	AB 3095
AB 2279	AB 2891	AB 2436	AB 3101
AB 2289	AB 2900	AB 2502	AB 3102
AB 2290	AB 2917	AB 2512	
AB 2303	AB 2926	AB 2525	

Assembly Chamber, May 17, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 152	ACR 211	ACR 216	ACR 219
ACR 223	AJR 44	AJR 74	

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 1912—An act to amend Section 47 of the Civil Code, relating to privileged communications.

Assembly Bill 2010—An act to add and repeal Sections 26840.10 and 26840.11 of the Government Code, to add and repeal Sections 103627 and

103628 of the Health and Safety Code, and to add and repeal Sections 18309 and 18309.5 of the Welfare and Institutions Code, relating to domestic violence.

Assembly Bill 2147—An act to add Section 11751.82 to the Insurance Code, relating to liability insurance.

Assembly Bill 2152—An act relating to sentencing.

Assembly Bill 2333—An act relating to construction defect actions.

Assembly Bill 2812—An act relating to construction defects.

Assembly Bill 2962—An act to amend Section 2051 of the Insurance Code, relating to fire insurance.

Assembly Bill 1822—An act to amend Section 120335 of the Health and Safety Code, relating to school children immunization.

Assembly Bill 1827—An act to amend Sections 11125.4 and 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

Assembly Bill 1832—An act to add and repeal Section 35183.3 of the Education Code, relating to school uniforms.

Assembly Bill 1846—An act to add Article 3 (commencing with Section 12330) to Chapter 3 of Part 8 of the Education Code, relating to education.

Assembly Bill 1847—An act to add Section 22651.05 to the Vehicle Code, relating to vehicles.

Assembly Bill 1854—An act to amend, repeal, and add Section 24400 of the Vehicle Code, relating to vehicles.

Assembly Bill 1857—An act to add Section 597.6 to the Penal Code, relating to animals.

Assembly Bill 1896—An act to amend Section 486 of the Food and Agricultural Code, relating to agricultural inspectors.

Assembly Bill 1942—An act to amend Section 25200.15 of the Health and Safety Code, relating to hazardous waste.

Assembly Bill 1973—An act to amend Section 3572 of the Government Code, relating to the California State University.

Assembly Bill 2001—An act to amend Section 45452 of the Education Code, and to amend Section 42011 of the Vehicle Code, relating to vehicles.

Assembly Bill 2021—An act to amend Sections 25214.14 and 25124.15 of, and to amend the heading of Article 10.3 (commencing with

Section 25214.11) of Chapter 6.5 of Division 20 of, the Health and Safety Code, relating to hazardous waste.

Assembly Bill 2028—An act to amend Section 1265.1 of the Unemployment Insurance Code, relating to unemployment insurance.

Assembly Bill 2158—An act to amend Section 65582 of, to add Sections 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, and 65584.07 to, and to repeal and add Section 65584 of, the Government Code, relating to general plans.

Assembly Bill 2168—An act to amend Sections 7390, 7391, 7392, 7393, 7394, and 7395 of, and to add Section 7423.5 to, the Business and Professions Code, relating to barbering and cosmetology.

Assembly Bill 2276—An act to amend Section 19641.2 of the Business and Professions Code, relating to horse racing.

Assembly Bill 2279—An act to add Section 21100.8 to the Water Code, relating to water.

Assembly Bill 2289—An act to add Section 1375 to the Health and Safety Code, and to add Section 10123.671 to the Insurance Code, relating to health care.

Assembly Bill 2290—An act to add Section 6102 to the Government Code, relating to local agency fees.

Assembly Bill 2303—An act to add Section 451.5 to the Public Utilities Code, relating to public utilities.

Assembly Bill 2307—An act to add Article 2.6 (commencing with Section 1222) to Chapter 1 of Division 2 of the Health and Safety Code, relating to health care providers.

Assembly Bill 2311—An act to add Section 12815 to the Government Code, relating to energy efficiency.

Assembly Bill 2314—An act to amend Sections 19570 and 19590 of the Government Code, relating to state employees.

Assembly Bill 2445—An act to amend Sections 4800, 4802, and 4805 of, and to amend and renumber Section 4716 of, the Probate Code, relating to advance health care directives.

Assembly Bill 2451—An act to repeal Section 11382 of the Elections Code, relating to elections.

Assembly Bill 2454—An act to amend Section 11302 of the Elections Code, relating to elections.

Assembly Bill 2477—An act to add Section 66406 to the Education Code, relating to public postsecondary education.

Assembly Bill 2509—An act to add Chapter 5.5 (commencing with Section 2780) to Part 2 of Division 1 of the Public Utilities Code, relating to public utilities.

Assembly Bill 2516—An act to amend Sections 6401, 22440, 22441, 22442, 22442.1, 22442.2, 22442.3, 22442.4, 22443, 22443.1, 22443.3, 22444, 22446.5, and 22447 of, and to amend the heading of Chapter 19.5 (commencing with Section 22440) of Division 8 of, the Business and Professions Code, and to amend Section 8223 of the Government Code, relating to immigration document assistants.

Assembly Bill 2538—An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing.

Assembly Bill 2626—An act to amend Section 3502.1 of the Business and Professions Code, relating to healing arts.

Assembly Bill 2634—An act to amend Section 56375.5 of the Government Code, relating to local government organization.

Assembly Bill 2649—An act to amend Section 3352 of the Labor Code, relating to workers' compensation.

Assembly Bill 2682—An act to amend Section 4161 of, and to add Sections 4160.1 and 4161.1 to, the Business and Professions Code, relating to pharmacy, and making an appropriation therefor.

Assembly Bill 2693—An act to add Section 22062 to the Financial Code, relating to finance lenders.

Assembly Bill 2704—An act to amend Sections 1812.5095, 1812.524, and 1812.533 of the Civil Code, and to amend Section 687.2 of, and to add Section 687.4 to, the Unemployment Insurance Code, relating to employment.

Assembly Bill 2753—An act to amend Sections 22714, 22714.5, 24216, and 84040.5 of the Education Code, relating to state teachers' retirement

Assembly Bill 2759—An act to add Section 1366.2 to the Health and Safety Code, and to add Section 10127.17 to the Insurance Code, relating to health care.

Assembly Bill 2785—An act to add Section 23125 to the Vehicle Code, relating to vehicles.

Assembly Bill 2817—An act to amend Sections 100601, 100601.5, 100602.4, 100602.8, 100602.10, 100602.13, 100603, 100605, 100613, 100614, and 100616 of, and to repeal Sections 100602.2, 100602.3, 100602.5, 100602.6, and 100602.7 of, the Public Utilities Code, relating to transportation.

Assembly Bill 2829—An act to amend Section 782 of the Evidence Code, relating to rape.

Assembly Bill 2850—An act to add Chapter 4.7 (commencing with Section 1080) to Part 3 of Division 2 of the Labor Code, relating to employment.

Assembly Bill 2870—An act to amend Sections 12903, 12928, 12935, 12942, 12945, 12955, 12963.3, 12970, 12972, 12973, 12987, 12987.1, and 12989.2 of the Government Code, relating to employment.

Assembly Bill 2891—An act relating to employment.

Assembly Bill 2900—An act to amend Sections 44100, 44101, 44858, 45293, 69958, 87100, and 88112 of the Education Code, to amend Sections 19572, 19572.1, 19702, 19704, and 19793 of the Government Code, to amend Sections 1156.3, 1735, 1777.6, and 3095 of the Labor Code, to amend Section 130 of the Military and Veterans Code, to amend Sections 25051, 28850, 30750, 50120, 70121, 90300, 95650, 98161, 100303, 101343, 102402, 103403, 120504, and 125523 of the Public Utilities Code, to amend Section 1256.2 of the Unemployment Insurance Code, and to amend Sections 11320.31, 11322.62, and 14087.28 of the Welfare and Institutions Code, relating to employment discrimination.

Assembly Bill 2917—An act to amend Section 18600 of the Elections Code, relating to elections.

Assembly Bill 2926—An act to amend Sections 17053.34, 17053.46, 17053.74, 23622.7, 23634, and 23646 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2956—An act to amend Section 31453 of the Government Code, relating to county employees' retirement.

Assembly Bill 3008—An act to add Sections 31485.11 and 31646.6 to the Government Code, relating to county employees' retirement.

Assembly Bill 3010—An act to amend Section 81133 of the Education Code, relating to community colleges.

Assembly Bill 3029—An act to add Section 14045 to the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 3056—An act to add Section 12317 to the Welfare and Institutions Code, relating to in-home supportive services.

Assembly Bill 3092—An act to amend Section 308 of the Penal Code, relating to cigarettes.

Assembly Bill 1819—An act to amend Section 48800 of the Education Code, relating to public schools, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 1945—An act to amend Section 1569.616 of the Health and Safety Code, relating to residential care facilities for the elderly.

Assembly Bill 1966—An act to add Section 43830.5 to the Health and Safety Code, relating to air pollution.

Assembly Bill 1992—An act to amend Section 11372.5 of the Health and Safety Code, relating to controlled substances.

Assembly Bill 1994—An act to amend Section 18723 of the Revenue and Taxation Code, and to amend Section 9203.5 of, to add Section 9304.5 to, and to repeal Section 9206 of, the Welfare and Institutions Code, relating to the California Senior Legislature.

Assembly Bill 1999—An act to amend Section 66602 of, and to repeal Sections 90450 and 90500 of, the Education Code, and to amend Section 10760 of the Public Contract Code, relating to the California State University.

Assembly Bill 2007—An act to amend Sections 7632 and 12028 of the Business and Professions Code, and to amend Section 1749.5 of the Civil Code, relating to business.

Assembly Bill 2018—An act to add Section 2603.5 to the Family Code, and to add Chapter 2.6 (commencing with Section 1000.10) to Title 6 of Part 2 of the Penal Code, relating to domestic violence.

Assembly Bill 2037—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Assembly Bill 2075—An act to add Sections 1040 and 1041 to the Government Code, relating to state employees.

Assembly Bill 2167—An act to amend Section 25506 of, and to add Section 25501.5 to, the Corporations Code, relating to securities.

Assembly Bill 2170—An act to amend Sections 7500.2, 7503.4, 7507.3, 7507.9, 7507.10, and 7508.2 of, to add Section 7505.2 to, and to repeal and add Section 7500.1 of, the Business and Professions Code, relating to repossession agencies.

Assembly Bill 2219—An act to amend Section 12022.5 of the Penal Code, relating to sentencing.

Assembly Bill 2224—An act to amend Sections 17557, 17558, 17558.5, and 17561 of, and to add Section 17572 to, the Government Code, relating to state mandates.

Assembly Bill 2233—An act to amend Sections 22663, 22705.5, 22714, 23203, 24114, 24221, and 44987 of the Education Code, relating to state teachers' retirement.

Assembly Bill 2362—An act to amend Section 56505 of the Education Code, relating to special education.

Assembly Bill 2397—An act to amend Sections 4535.1, 7084, 7118, 14842, and 14842.5 of the Government Code, and to amend Sections 10303 and 12102 of the Public Contract Code, relating to public contracts.

Assembly Bill 2436—An act to amend Sections 1206.5, 1244, and 1246.5 of the Business and Professions Code, relating to clinical laboratories.

Assembly Bill 2502—An act to amend Section 369.5 of the Welfare and Institutions Code, relating to dependent children.

Assembly Bill 2512—An act to amend Section 51221.4 of the Education Code, relating to curriculum.

Assembly Bill 2525—An act to amend Sections 1240.1, 1240.2, 1625, 42120, 42129, 42131, and 42133.5 of, and to repeal Section 8206.3 of, the Education Code, relating to education.

Assembly Bill 2613—An act to add Section 1812.117 to the Civil Code, relating to discount buying organizations.

Assembly Bill 2635—An act to amend Section 1363.5 of the Fish and Game Code, relating to oak woodlands conservation.

Assembly Bill 2677—An act to add Chapter 10.27 (commencing with Section 672) to Part 1 of Division 1 of the Insurance Code, relating to insurance.

Assembly Bill 2708—An act to amend Section 1102.8 of the Labor Code, relating to whistleblowers.

Assembly Bill 2716—An act to amend Sections 14087.96, 14087.961, 14087.9625, and 14087.966 of the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 2760—An act to amend Sections 1053, 1055, 1055.1, 1055.5, 1056, 1060, 7151, 7360, 7920, 8235, 8392, 8597, 13005, 15103, and 15104 of, and to add Sections 1055.4, 9027, 9027.5, and 9029.5 to, the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Assembly Bill 2841—An act to amend Sections 5019, 35531, 35542, 35555, 35565, 35566, 35709, 35710, 35710.5, 35722, 35753, and 35765 of, and to add Sections 35517, 35710.1, 35736.5, and 35784.5 to, the Education Code, and to amend Sections 54901 and 54902 of, and to repeal Section 54903.1 of, the Government Code, relating to school districts.

Assembly Bill 2851—An act to amend Section 17581.5 of the Government Code, relating to local mandate reimbursement, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2856—An act to amend Section 17556 of the Government Code, relating to state mandates.

Assembly Bill 2872—An act to amend Section 17204 of the Probate Code, relating to trusts.

Assembly Bill 2913—An act to amend Section 44253.10 of the Education Code, relating to teaching credentials.

Assembly Bill 2919—An act to amend Section 3209.10 of the Labor Code, relating to workers' compensation.

Assembly Bill 2932—An act to amend Sections 3440.1, 3440.3, and 3440.5 of the Civil Code, and to amend Section 5907 of the Vehicle Code, relating to commercial law.

Assembly Bill 2945—An act to amend Section 19441.2 of the Business and Professions Code, relating to horse racing.

Assembly Bill 3016—An act to amend Section 1798.85 of the Civil Code, relating to privacy.

Assembly Bill 3023—An act to add Section 683 to the Business and Professions Code, relating to healing arts.

Assembly Bill 3025—An act to amend Sections 58750 and 80074 of the Food and Agricultural Code, relating to agriculture.

Assembly Bill 3064—An act to add Section 66020 to the Education Code, relating to public postsecondary education.

Assembly Bill 3076—An act to amend Sections 22003, 22502, and 22601.5 of the Education Code, relating to state teachers' retirement.

Assembly Bill 3077—An act to amend Sections 54975, 56036, 56077, 56337, 56375.5, 56810, 57025, 57120, 57125, and 57126 of the Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local government reorganization.

Assembly Bill 3080—An act to amend Section 6002.1 of the Business and Professions Code, relating to attorneys.

Assembly Bill 3091—An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Assembly Bill 3095—An act to amend Section 368 of the Penal Code, relating to elder abuse.

Assembly Bill 3101—An act to amend Section 85401 of the Government Code, relating to the Political Reform Act of 1974.

Assembly Bill 3102—An act to amend Section 19101 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Assembly Concurrent Resolution 152—Relative to Michael Evanhoe Interchange.

Assembly Concurrent Resolution 211—Relative to the Lewis and Clark Corps of Discovery Expedition.

Assembly Concurrent Resolution 216—Relative to senior housing and care quality.

Assembly Concurrent Resolution 219—Relative to National Scholarship Month.

Assembly Concurrent Resolution 223—Relative to Women's Health Month.

Assembly Joint Resolution 44—Relative to Holocaust era insurance policies.

Assembly Joint Resolution 74—Relative to hybrid electric vehicles.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, May 14, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1376	SB 1524	SB 1815	AB 700
SB 1416	SB 1538	SB 1819	
SB 1431	SB 1703	SB 1847	
SB 1506	SB 1809	SCR 65	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, May 14, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AJR 50

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Date of Hearing, May 17, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1315	SB 1336	SB 1349
SB 1662	SB 1753	SB 1901

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Date of Hearing, May 17, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1592

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, May 18, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1421

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1421—An act to add Section 51227 to the Education Code, relating to instruction.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, May 18, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 1522

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 1522—An act to amend Sections 1241, 1241.6, 1410, 1410.2, 1675.2, 1703.6, 13223, 13261, 13376, 13627, 13627.4 of, and to amend the heading of Article 1 (commencing with Section 13300) of, and the heading of Article 2 (commencing with Section 13320) of, Chapter 5 of Division 7 of, and to repeal Sections 1062, 1241.5, and 13523.5 of, the Water Code, and to repeal Section 10 of Chapter 1541 of the Statutes of 1984, relating to water.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, May 18, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2049

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 2049—An act to add Article 4.5 (commencing with Section 123620) to Chapter 2 of Part 2 of Division 106 of the Health and Safety Code, relating to maternal and child health.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1404—An act to add Part 8 (commencing with Section 36700) to Division 18 of the Streets and Highways Code, relating to multifamily improvement districts.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1752—An act relating to state property.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1486—An act to amend Section 17406 of the Education Code, relating to school facilities.

Bill read second time and ordered to third reading.

Assembly Bill 598—An act relating to libraries, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 974—An act to repeal and add Section 30244 of the Public Resources Code, relating to the coastal zone.

Bill read second time and ordered to third reading.

UNANIMOUS CONSENT TO GIVE BILLS SECOND READING

Without objection, Senate bills being reported by Appropriations Committee will be given their second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1376—An act to add Sections 18564.5, 19214, and 19214.5 to, the Elections Code, relating to elections.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1416—An act to add Article 1 (commencing with Section 42200) to Chapter 7 of Part 24 of the Education Code, relating to education finance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1431—An act to add Section 5058.4 to the Penal Code, and to add Section 1752.05 to the Welfare and Institutions Code, relating to corrections.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1506—An act to add and repeal Section 653aa of the Penal Code, relating to Internet piracy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1524—An act to amend Section 19858 of the Business and Professions Code, relating to gambling.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1538—An act to amend Section 226.7 of the Labor Code, relating to compensation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1703—An act to add Division 32 (commencing with Section 60000) to the Public Resources Code, relating to the environment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1809—An act to amend Section 2699 of the Labor Code, relating to employment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1815—An act to amend Section 17951 of the Health and Safety Code, relating to building standards.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1819—An act to amend Sections 4514 and 5328 of the Welfare and Institutions Code, relating to confidential information.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1847—An act to amend Section 121360.5 of the Health and Safety Code, relating to communicable diseases.

Bill read second time, ordered engrossed, and to third reading.

Senate Concurrent Resolution 65—Relative to the Officer Eugene A. Doran and Marine Lance Corporal Patrick M. Doran Memorial Bridge. Resolution read second time, ordered engrossed, and to third reading.

Senate Bill 1315—An act to amend Section 2070 of the Insurance Code, relating to insurance policies.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1336—An act to add Section 1638.1 to the Business and Professions Code, relating to oral and maxillofacial surgery, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1349—An act to add Section 127672 to the Health and Safety Code, relating to health care.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1662—An act to add Sections 1569.656 and 1569.657 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1753—An act to amend Sections 11011 and 11011.5 of, and to repeal and add Sections 11011.1, 11011.3, and 11011.4 of, the Government Code, relating to state property.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1901—An act to add Section 6713 to the Labor Code, relating to safety in employment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1592—An act to amend Section 65400 of, and to add Section 65458 to, the Government Code, relating to local planning.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill 1157—An act to amend Section 10369.12 of the Insurance Code, relating to insurance.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1874—An act to amend Section 170054 of the Public Utilities Code, relating to airports.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1286—An act to amend Section 762 of the Insurance Code, relating to insurance agents and brokers.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1135—An act to add and repeal Section 35401.9 to the Vehicle Code, relating of vehicles.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia,

Figueroa, Florez, Hollingsworth, Johnson, Margett, McPherson, Murray, Oller, Perata, Romero, Scott, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators Ashburn and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1158—An act to add Section 1367.195 to the Health and Safety Code, and to add Section 10123.75 to the Insurance Code, relating to health care.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1310—An act to amend Section 127 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to the Metropolitan Water District of Southern California.

Bill read third time and presented by Senator Johnson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Machado, Margett, McClintock, McPherson, Morrow, Oller, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Bowen.

Bill ordered transmitted to the Assembly.

Senate Bill 1358—An act to add Section 12528.1 to the Government Code, relating to Medi-Cal.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray,

Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Florez:

Senate Chamber, May 18, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(6) and (b)(7) and Joint Rule 62(a) in order that SB 1904 may be heard and reported by the Committee on Banking, Commerce and International Trade after the deadline.

SENATOR FLOREZ

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rule 61(b)(6) and (b)(7) and Joint Rule 62(a) be dispensed with as requested.

Resolution read and presented by Senator Johnson.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1363—An act to add Article 3.5 (commencing with Section 17568.5) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, and to amend Section 396 of the Penal Code, relating to advertising.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Murray,

Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (7)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1567—An act to add Section 31165 to the Public Resources Code, relating to the San Francisco Bay Area Conservancy Program.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

Senate Bill 1568—An act to amend Sections 66633, 66637, 66638, 66639, 66640, and 66641.5 of, and to add Section 66612 to, the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1711—An act to amend Sections 3008 and 3050 of, and to repeal Article 3 (commencing with Section 3052) of Chapter 6 of Division 2 of, the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Bowen.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Bowen moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1271—An act to amend Section 17556 of the Government Code, and to repeal Chapter 1037 of the Statutes of 2000, relating to the Grant Joint Union High School District.

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 (27)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1800—An act to amend Section 12810 of, and to add Section 23123 to, the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Murray.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Ducheny, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1266—An act to amend Section 56375.3 of the Government Code, relating to annexation.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado,

Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.
NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1451—An act to add Title 1.81.4 (commencing with Section 1798.98) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1386—An act to add Article 9 (commencing with Section 49052) to Chapter 6 of Part 27 of the Education Code, relating to pupils.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, McClintock, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1520—An act to add Chapter 13.4 (commencing with Section 25980) to Division 20 of the Health and Safety Code, relating to force fed birds.

Bill read third time and presented by Senator Burton.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1444—An act to add Section 110423.9 to the Health and Safety Code, relating to dietary supplements.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1678—An act to add Section 340.35 to the Code of Civil Procedure, relating to statutes of limitation.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1324—An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

Bill read third time and presented by Senator Vincent.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, McPherson, Morrow, Murray, Perata, Poochigian, Romero, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1130—An act to amend Sections 20209.13 and 20209.14 of the Public Contract Code, relating to public contracts.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1520)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1520 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Machado, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1749—An act to add Section 42230.5 to, and to add Article 3 (commencing with Section 42250) to Chapter 5 of Part 3 of Division 30 of, the Public Resources Code, relating to composting.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1436—An act to add Chapter 32 (commencing with Section 22947) to Division 8 of the Business and Professions Code, relating to business.

Bill read third time and presented by Senator Murray.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators Ackerman and Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 1152—An act to amend Sections 12071 and 12316 of, and to add Section 12326 to, the Penal Code, relating to ammunition.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Dunn, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (16)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Ducheny, Florez, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (SR 39)

Senator Burton asked for, and was granted, unanimous consent to take up SR 39 at this time, without reference to committee, print or file.

Consideration of Senate Resolution 39

Senate Resolution 39—Relative to the election of members of the Committee on Rules.

Resolution read.

Resolved by the Senate of the State of California, that Senator Brulte is hereby elected as a member of the Senate Committee on Rules.

Roll Call

The roll was called and the measure was adopted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 1682—An act to amend Section 1365.1 and 1367.1, and to add Section 1367.4 to, the Civil Code, and to amend Section 703.010 of, and to add Sections 704.725 and 729.035 to, the Code of Civil Procedure, relating to common interest developments.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1190—An act relating to the Vallejo City Unified School District, and making an appropriation therefor .

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senator Burton Presiding

Senate Bill 1368—An act to add Section 415.35 to the Code of Civil Procedure, relating to service of process.

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 (23)—Senators Alarcón, Alpert, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray,

Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1770—An act to add Article 7.4 (commencing with Section 53835) to Chapter 4 of Part 1 of Division 2 of the Government Code, relating to special district indebtedness.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Ackerman, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (9)—Senators Aanestad, Ashburn, Battin, Brulte, Denham, Hollingsworth, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1666—An act to amend Section 22407 of the Public Utilities Code, relating to airports.

Bill read third time and presented by Senator Ashburn.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ashburn moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1773—An act to amend Section 33002.9 of the Public Utilities Code, relating to transportation.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (7)—Senators Aanestad, Battin, Brulte, Hollingsworth, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1323—An act to add Chapter 11.2 (commencing with Section 679.8) to Part 1 of Division 1 of the Insurance Code, relating to homeowners' insurance.

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 (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1474—An act to add Chapter 11.3 (commencing with Section 679.8) to Part 1 of Division 1 of the Insurance Code, relating to homeowners' insurance.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1855—An act to amend Sections 10102 and 10103 of the Insurance Code, relating to homeowners' insurance.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Morrow, Murray, Oller, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Margett, McClintock, McPherson, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution 29—Relative to food marketing and advertising directed to children.

Resolution read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Resolution ordered transmitted to the Assembly.

Senate Bill 1475—An act to add and repeal Section 368.5 of the Penal Code, relating to elder and dependent adult abuse prevention.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Alarcón, Alpert, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (6)—Senators Ackerman, Ashburn, Brulte, Hollingsworth, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1162—An act to add and repeal Article 1.5 (commencing with Section 18705) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Machado.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1824—An act to amend Sections 1205 and 1218.1 of the Health and Safety Code, relating to clinics.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators Battin and Brulte.

Bill ordered transmitted to the Assembly.

Senate Bill 1798—An act to amend Sections 44277 and 51222 of, and to add Section 54760.2 to, the Education Code, relating to physical education.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1089—An act to add Section 13481.5 to the Water Code, relating to water.

Bill read third time and presented by Senator Johnson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1369—An act to amend Section 51182 of the Government Code, and to amend Section 4291 of the Public Resources Code, relating to fire protection.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1159—An act to amend Sections 4145 and 4147 of, and to repeal Section 4146 of, the Business and Professions Code, to amend Section 11364 of, and to add Chapter 13.5 (commencing with Section 121285) to Part 4 of Division 105 of, the Health and Safety Code, and to amend Sections 41770 and 41900 of, and to add Section 41803 to, the Public Resources Code, relating to hypodermic needles and syringes.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Florez, Hollingsworth, Johnson, Margett, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1084—An act to amend Section 97.1 of the Streets and Highway Code, and to add Section 42010 to the Vehicle Code, relating to highways.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1259—An act to amend Section 32569 of the Public Resources Code, relating to the Baldwin Hills Conservancy.

Bill read third time and presented by Senator Murray.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 1193—An act to add Chapter 3.5 (commencing with Section 850) to Division 4 of the Military and Veterans Code, relating to veterans.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1544—An act to amend Section 94999 of the Education Code, relating to private postsecondary education, and making an appropriation therefor.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Aanestad, Alarcón, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (6)—Senators Ackerman, Ashburn, Brulte, Hollingsworth, McClintock, and Morrow.

Bill ordered transmitted to the Assembly.

Senator Bowen Presiding

Senate Bill 1291—An act to add Section 12939 to the Insurance Code, relating to the Insurance Commissioner.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1357—An act to amend Sections 8502, 8616.5, 8802, 8912, and 9000 of, and to add Sections 7660.5 and 7907.5 to, the Family Code, and to amend Section 293 of, and to amend and renumber Section 18965 of, the Welfare and Institutions Code, relating to minors.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senator Alpert Presiding

Senate Bill 1173—An act to amend Section 22962 of the Business and Professions Code, relating to tobacco products.

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 (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1559—An act to add Section 6066.1 to the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1711)**

On motion of Senator Bowen, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1711 was refused passage by the following vote:

AYES (18)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Escutia, Figueroa, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (19)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Ducheny, Dunn, Florez, Hollingsworth, Johnson, Machado, Margett, McClintock, McPherson, Morrow, Oller, Poochigian, and Soto.

Motion to Reconsider

Senator Bowen moved to reconsider the vote whereby SB 1711 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered returned to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1666)**

On motion of Senator Ashburn, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1666 was refused passage by the following vote:

AYES (5)—Senators Ackerman, Ashburn, Florez, McPherson, and Sher.

NOES (11)—Senators Alarcón, Bowen, Burton, Escutia, Hollingsworth, Machado, Margett, Ortiz, Romero, Soto, and Speier.

Motion to Reconsider

Senator Ashburn moved to reconsider the vote whereby SB 1666 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered returned to third reading.

REQUEST TO BE ADDED TO ROLL CALL

May 18, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1271—Aye SB 1363—Aye SB 1386—Aye
SB 1682—Aye SB 1568—Aye

JOHN L BURTON, President pro Tempore

May 18, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1271—No SB 1749—No SB 1152—No
SB 1324—No SB 1130—Aye SR 39—Aye
SB 1682—Aye SB 1368—No SB 1190—No
SB 1323—No SB 1773—Aye SB 1474—No
SB 1855—No SJR 29—No SB 1475—No
SB 1162—Aye SB 1824—Aye

DICK ACKERMAN, Minority Floor Leader

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 12:28 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Wednesday, May 19, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Public Safety

Senate Chamber, May 18, 2004

Madam President: The Chair of the Committee on Public Safety, to which were referred:

AB 1493

AB 1801

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1493—An act to add Section 287 to the Penal Code, relating to human remains.

Bill read second time.

Assembly Bill 1801—An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, May 18, 2004

Madam President: The Chair of the Committee on Rules, to which was referred:

SB 1904

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1904—An act to add Section 213.5 to the Labor Code, relating to payment of wages.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1904 pursuant to Joint Rule 58.

SENATOR FLOREZ

Permission of Rules Committee

Senate Chamber, May 18, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1904.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Local Government

Date of Hearing, May 12, 2004

Madam President: The Committee on Local Government, to which was referred:

AB 434

Reports the same back with the recommendation: Do pass as amended.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, May 12, 2004

Madam President: The Committee on Education, to which was referred:
AB 152

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.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

May 18, 2004

Madam President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 772

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

BOWEN, Chair

Above measure ordered to unfinished business.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SB 1096, SB 1097, SB 1098, SB 1099, SB 1100, SB 1101, SB 1102, SB 1103, SB 1104, SB 1105, SB 1106, SB 1107, SB 1108, SB 1109, SB 1110, SB 1111, SB 1112, SB 1113, SB 1114, SB 1115, SB 1116, SB 1117, SB 1118, SB 1119,** and **SB 1120** were

withdrawn from Committee on Rules, given a second reading and placed on the Special Consent Calendar to be taken up Wednesday, May 19.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1096—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1097—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1098—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1099—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1100—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1101—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1102—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1103—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1104—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1105—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1106—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1107—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1108—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1109—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1110—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1111—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1112—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1113—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1114—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1115—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1116—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1117—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1118—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1119—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

Senate Bill 1120—An act relating to the Budget Act of 2004.

Bill read second time, ordered engrossed, and to Special Consent Calendar.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 1783—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 SB 1783 proposed by Senator Dunn were read and adopted and the measure ordered printed, engrossed, and to second reading.

**SENATE COMMITTEE ROLL CALLS
Committee on Appropriations**

SB 1275—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1315—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1336—Do pass

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1349—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1405—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1454—Do pass as amended

AYES (10)—Senators Aanestad, Alpert, Battin, Bowen, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (2)—Senators Ashburn and Burton.

SB 1592—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1662—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1692—Do pass as amended

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1753—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1793—Do pass as amended

AYES (4)—Senators Burton, Escutia, Machado, and Murray.

NOES (1)—Senator Ashburn.

Failed passage

SB 1793—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1901—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

Date of Hearing: 5/17/04

Alpert (Chair)

Committee on Energy, Utilities and Communications**SB 772—That the Assembly amendments be concurred in**

AYES (5)—Senators Alarcón, Battin, Bowen, Morrow, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 5/18/04

Bowen (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Alpert requested that when the Senate adjourns this day it do so in memory of Fred Kern of Dieburg, Germany.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Lyndon Anson Marcus, Jr. of Long Beach.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Satenig Lucinian and Pearle Marian Najimian of Fresno and Virginia Sager Jansen of Rohnert Park.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 10 a.m., Wednesday, May 19, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, May 19, 2004

The Senate met at 10 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:
Lord, We come before You this morning with but one humble request: When You go out this evening, wear the “purple outfit”.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Battin led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing, May 17, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1275

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Rules

State Capitol, May 19, 2004

The Committee on Rules has ordered the following bill be re-referred to committee:

Banking, Commerce and International Trade—SB 1904.**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS**

Senate Bill 1783—An act to amend Section 14094.3 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 700—An act to amend Sections 12102 and 12114 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Joint Resolution 50—Relative to fuel cell vehicles.

Resolution read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 434—An act to add Section 53856.2 to the Government Code, relating to temporary borrowing by the City of Richmond, and declaring the urgency thereof, to take effect immediately.

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 152—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56505.1, 56506, and 56863 of, to add Section 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education

Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

**UNANIMOUS CONSENT
TO TAKE UP SPECIAL CONSENT CALENDAR**

Without objection, the Budget Trailer Bills Special Consent Calendar was taken up this day.

CONSENT CALENDAR

Senate Resolution 38—Relative to California Charter Schools Week. Resolution read and adopted.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Bill 1742—An act to amend Sections 8574.1, 8574.7, 8574.8, 8574.10, 8670.3, 8670.5, 8670.7, 8670.8, 8670.8.5, 8670.9, 8670.10, 8670.13, 8670.13.2, 8670.14, 8670.18, 8670.19, 8670.21, 8670.23, 8670.23.1, 8670.24, 8670.25.5, 8670.26, 8670.27, 8670.28, 8670.29, 8670.31, 8670.35, 8670.36.1, 8670.37.5, 8670.41, 8670.48, 8670.50, 8670.56.5, 8670.56.6, 8670.61.5, and 8670.70 of, to add Section 8670.73 to, and to repeal Sections 8670.36.5 and 8670.52 of, the Government Code, to amend Sections 449.3 and 449.5 of the Harbors and Navigation Code, to amend Section 8750 of the Public Resources Code, to amend Sections 46016, 46018, and 46027 of the Revenue and Taxation Code, and to amend Section 13272 of the Water Code, relating to oil spills.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1313—An act to amend Sections 11165.1, 11165.3, 11165.5, 11165.6, 11165.7, 11165.12, 11166, 11166.05, 11167, 11167.5, 11170, 11170.5, and 11172 of, to amend and renumber Sections 11166.7, 11166.8, 11166.9, 11166.95, and 11174.4 of, to add an article heading immediately preceding Section 11174.32 to Chapter 2 of Title 1 of Part 4 of, and to repeal Section 11170.6 of, the Penal Code, and to amend Section 16513 of the Welfare and Institutions Code, relating to child abuse reporting.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1391—An act to amend Sections 6240 and 6389 of the Family Code, and to amend Section 13700 of the Penal Code, relating to domestic violence.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1587—An act to add Section 14776 to the Government Code, relating to state government.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1437—An act to add Section 8546.5 to the Government Code, relating to the State Auditor.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Resolution 37—Relative to Rule 23 of the Standing Rules of the Senate for the 2003-04 Regular Session.

Resolution read and adopted.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1096—An act relating to the Budget Act of 2004.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1097—An act relating to the Budget Act of 2004.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1098—An act relating to the Budget Act of 2004.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1099—An act relating to the Budget Act of 2004.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1100—An act relating to the Budget Act of 2004.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1101—An act relating to the Budget Act of 2004.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1102—An act relating to the Budget Act of 2004.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1103—An act relating to the Budget Act of 2004.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1104—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1105—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1106—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1107—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1108—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1109—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1110—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1111—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1112—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1113—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1114—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1115—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1116—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1117—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1118—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1119—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1120—An act relating to the Budget Act of 2004.
Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Pochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

THIRD READING OF SENATE BILLS

Senate Bill 1388—An act to amend Section 11105 of the Penal Code, relating to criminal history information.

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 (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Pochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1215—An act to add Section 712.5 to the Fish and Game Code, relating to wildlife resources.

Bill read third time and presented by Senator Morrow.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Ackerman, Alpert, Battin, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Poochigian, Romero, Scott, Torlakson, and Vincent.

NOES (5)—Senators Chesbro, Kuehl, Ortiz, Sher, and Soto.

Bill ordered transmitted to the Assembly.

Senate Bill 1429—An act to amend Sections 13380 and 23612 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Denham.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Oller, Ortiz, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

Senate Bill 1633—An act to add Title 1.81.25 (commencing with Section 1798.91) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1917—An act to add Article 1.5 (commencing with Section 865) to Chapter 7 of Division 1 of the Financial Code, relating to financial institutions.

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Morrow, Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

(Note: Reconsideration granted later this day.)

Senate Bill 1347—An act to amend, repeal, and add Sections 1351.2 and 1367.01 of the Health and Safety Code, relating to health care.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER (SB 1917)

Senator Florez moved to reconsider the vote whereby SB 1917 passed.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

At the request of the author, above bill ordered to the inactive file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1818—An act to amend Section 65915 of the Government Code, relating to housing.

Bill read third time and presented by Senator Hollingsworth.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1733—An act to add Section 1099 to the Government Code, relating to firearm sales at the Cow Palace.

Bill read third time.

Motion to Amend

Senator Morrow moved the adoption of amendments to SB 1733.

Amendments read.

MOTION TO LAY ON THE TABLE

Senator Kuehl moved that the amendments to SB 1733 be laid on the table.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (20)—Senators Alarcón, Alpert, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Romero, Scott, Sher, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McPherson, Morrow, Oller, and Poochigian.

Consideration of SB 1733

Bill presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1916—An act to add Section 12334 to the Government Code, relating to state agency contracts.

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution 20—Relative to regulation of financial institutions.

Resolution read third time and presented by Senator Florez.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (25)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McClintock, Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (9)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, McPherson, Oller, and Poochigian.

Resolution ordered transmitted to the Assembly.

Senate Bill 1752—An act relating to state property.

Bill read third time and presented by Senator Battin.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1416—An act to add Article 1 (commencing with Section 42200) to Chapter 7 of Part 24 of the Education Code, relating to education finance.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado,

McClintock, McPherson, Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1431—An act to add Section 5058.4 to the Penal Code, and to add Section 1752.05 to the Welfare and Institutions Code, relating to corrections.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1524—An act to amend Section 19858 of the Business and Professions Code, relating to gambling.

Bill read third time and presented by Senator Vincent.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Denham, Escutia, Figueroa, Florez, Karnette, Machado, Margett, McPherson, Morrow, Murray, Romero, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (4)—Senators Battin, Brulte, Hollingsworth, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1895—An act to add Section 56135.5 to the Education Code, relating to special education.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Oller, Ortiz, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators McClintock and Morrow.

Bill ordered transmitted to the Assembly.

Senate Bill 1336—An act to add Section 1638.1 to the Business and Professions Code, relating to oral and maxillofacial surgery, and making an appropriation therefor.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1506—An act to add and repeal Section 653aa of the Penal Code, relating to Internet piracy.

Bill read third time and presented by Senator Murray.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1538—An act to amend Section 226.7 of the Labor Code, relating to compensation.

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 SENATE BILLS (RESUMED)

Senate Bill 1703—An act to add Division 32 (commencing with Section 60000) to the Public Resources Code, relating to the environment.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1819—An act to amend Sections 4514 and 5328 of the Welfare and Institutions Code, relating to confidential information.

Bill read third time and presented by Senator Ashburn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1315—An act to amend Section 2070 of the Insurance Code, relating to insurance policies.

Bill read third time and presented by Senator Ortiz.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1349—An act to add Section 127672 to the Health and Safety Code, relating to health care.

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 (23)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado,

Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1569—An act to add Section 1393.3 to the Health and Safety Code, relating to health care service plans.

Bill read third time and presented by Senator Dunn.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Dunn moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1753—An act to amend Sections 11011 and 11011.5 of, and to repeal and add Sections 11011.1, 11011.3, and 11011.4 of, the Government Code, relating to state property.

Bill read third time and presented by Senator Denham.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1901—An act to add Section 6713 to the Labor Code, relating to safety in employment.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1592—An act to amend Section 65400 of, and to add Section 65458 to, the Government Code, relating to local planning.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1169—An act to amend Sections 2704.13 and 2704.16 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Murray.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1376—An act to add Sections 18564.5, 19214, and 19214.5 to, the Elections Code, relating to elections.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn,

Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1847—An act to amend Section 121360.5 of the Health and Safety Code, relating to communicable diseases.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 1569)

On motion of Senator Dunn, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1569 was passed by the following vote:

AYES (21)—Senators Aanestad, Alarcón, Alpert, Burton, Chesbro, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McClintock, Murray, Ortiz, Perata, Romero, Sher, Soto, Speier, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McPherson, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 974—An act to repeal and add Section 30244 of the Public Resources Code, relating to the coastal zone.

Bill read third time and presented by Senator Chesbro.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Chesbro moved a call of the Senate.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1538)**

On motion of Senator Alarcón, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1538 was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Machado, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1815—An act to amend Section 17951 of the Health and Safety Code, relating to building standards.

Bill read third time and presented by Senator Johnson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 974)**

On motion of Senator Chesbro, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 974 was refused passage by the following vote:

AYES (17)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Karnette, Kuehl, McPherson, Murray, Perata, Romero, Soto, Torlakson, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Florez, Hollingsworth, Machado, Margett, Morrow, Oller, Ortiz, and Poochigian.

Motion to Reconsider

Senator Chesbro moved to reconsider the vote whereby AB 974 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered returned to third reading.

REQUEST TO BE ADDED TO ROLL CALL

May 19, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1633—Aye

SB 1347—Aye

JOHN L BURTON, President pro Tempore

May 19, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1917—No

SB 1169—Aye

DICK ACKERMAN, Minority Floor Leader

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 11:58 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Thursday, May 20, 2004.

Motion carried.

**REPORTS OF STANDING COMMITTEES
Committee on Governmental Organization**

Senate Chamber, May 19, 2004

Madam President: The Chair of the Committee on Governmental Organization, to which was referred:

AB 2401

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2401—An act to amend Section 13146.1 of, and to add Sections 12606.1, 13188.4, and 13197.6 to, the Health and Safety Code, relating to fire protection.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Senate Chamber, May 19, 2004

Madam President: The Chair of the Committee on Education, to which was referred:

AB 2171

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2171—An act to amend Section 44265.10 of the Education Code, relating to teacher credentialing, and declaring the 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.

Committee on Judiciary

Senate Chamber, May 19, 2004

Madam President: The Chair of the Committee on Judiciary, to which were referred:

AB 960

AB 1851

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 960—An act to add Article 8.8 (commencing with Section 1039) to Chapter 4 of Division 8 of the Evidence Code, and to amend Section 3304 of the Government Code, relating to privilege.

Bill read second time.

Assembly Bill 1851—An act to amend Sections 3412, 3413, 3600, 3601, 3602, 3603, 3604, 3610, 3611, and 3612 of, and to add Section 3613 to, the Probate Code, relating to incapacity.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Senate Chamber, May 19, 2004

Madam President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 224

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 224—An act to amend Section 13132.7 of, and to add Section 13132.8 to, the Health and Safety Code, relating to roof covering materials.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Senate Chamber, May 19, 2004

Madam President: The Chair of the Committee on Education, to which was referred:

AB 2615

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2615—An act to repeal Section 66755 of the Education Code, relating to public postsecondary education.

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 (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 1718—An act to add Section 8572.5 to the Government Code, relating to maritime security.

Bill read third time.

Amendments Adopted

Amendments to SB 1718 proposed by Senator Karnette were read and adopted and the measure ordered printed, engrossed, and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Burton requested that when the Senate adjourns this day it do so in memory of Margaret Brady of San Francisco.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Anna Lee of Hollywood.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, May 20, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, May 20, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian,
Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and
Vincent—38.

Quorum present.

(NOTE: Senator Oller will be excused this day on legislative business.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
May 20, 2004

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective May 21, 2004, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Edward G. Heidig Director, Office of Administrative Law
Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 20, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 1842

Above measure ordered enrolled.

Assembly Chamber, May 20, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 23

SB 626

SB 871

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, May 20, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1808	AB 2208	AB 2729	AB 2254
AB 1831	AB 2252	AB 2752	AB 2347
AB 1845	AB 2298	AB 2800	AB 2376
AB 1878	AB 2337	AB 2835	AB 2420
AB 1897	AB 2339	AB 2845	AB 2429
AB 1903	AB 2353	AB 2857	AB 2430
AB 1910	AB 2412	AB 2883	AB 2549
AB 1916	AB 2431	AB 2884	AB 2567
AB 1918	AB 2444	AB 2889	AB 2606
AB 1926	AB 2475	AB 2906	AB 2676
AB 1933	AB 2485	AB 2911	AB 2701
AB 2005	AB 2503	AB 2918	AB 2717
AB 2013	AB 2521	AB 2925	AB 2747
AB 2042	AB 2530	AB 2994	AB 2790
AB 2047	AB 2533	AB 3072	AB 2803
AB 2086	AB 2547	AB 3075	AB 2811
AB 2088	AB 2580	AB 1836	AB 2823
AB 2092	AB 2627	AB 1855	AB 2848
AB 2144	AB 2629	AB 1913	AB 2853
AB 2149	AB 2632	AB 2030	AB 2885
AB 2185	AB 2678	AB 2057	AB 2897
AB 2193	AB 2680	AB 2228	AB 2904
AB 2199	AB 2720	AB 2249	AB 2921

Assembly Chamber, May 20, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 209

ACR 221

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 1808—An act to amend Section 374.7 of the Penal Code, relating to littering.

Assembly Bill 1831—An act to add Section 8592.10 to the Government Code, relating to homeland security.

Assembly Bill 1845—An act to amend Sections 1271 and 1274.10 of the Unemployment Insurance Code, relating to employment training, and making an appropriation therefor.

Assembly Bill 1878—An act to amend Sections 407.5, 12500, 12509, 12804.9, 21225, and 21235 of, and to add Section 21226 to, the Vehicle Code, relating to vehicles.

Assembly Bill 1897—An act to amend Section 35012 of the Education Code, relating to school districts.

Assembly Bill 1903—An act to add Section 65008.7 to the Government Code, relating to land use.

Assembly Bill 1910—An act to amend Sections 7611 and 7630 of the Family Code, to add Chapter 4.4 (commencing with Section 1644.7) to Division 2 of the Health and Safety Code, to amend Sections 10172 and 10172.5 of the Insurance Code, and to amend Section 6453 of, and to add Sections 249.5, 249.6, 249.7, and 249.8 to, the Probate Code, relating to probate.

Assembly Bill 1916—An act to amend Section 7280 of, and to add Sections 7283.5 and 7283.51 to, the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1918—An act to amend Sections 44977 and 45196 of the Education Code, relating to school employees.

Assembly Bill 1926—An act to amend Section 4005 of the Fish and Game Code, relating to trapping licenses.

Assembly Bill 1933—An act to amend Sections 6252, 6253, and 6254 of the Government Code, relating to public records.

Assembly Bill 2005—An act to amend Section 11462 of the Welfare and Institutions Code, relating to community care facilities.

Assembly Bill 2013—An act to amend Section 11372 of, and to repeal Chapter 4.6 (commencing with Section 10830) of Part 2 of Division 9 of, the Welfare and Institutions Code, relating to statewide fingerprint imaging.

Assembly Bill 2042—An act to add Section 1740 to the Harbors and Navigation Code, relating to ports.

Assembly Bill 2047—An act to add Sections 4121 and 4122 to the Public Resources Code, relating to fire prevention.

Assembly Bill 2086—An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 2088—An act to amend Section 1954.53 of the Civil Code, relating to residential real property.

Assembly Bill 2092—An act to add Section 1798.83.5 to the Civil Code, relating to credit to minors.

Assembly Bill 2144—An act to amend Sections 3361, 3362, 3691, 3691.2, 3791, 3791.3, 3792, and 4217 of the Revenue and Taxation Code, relating to property taxation.

Assembly Bill 2149—An act to amend Sections 1538.2 and 1538.5 of, and to add Sections 1524.6 and 1538.6 to, the Health and Safety Code, relating to community care facilities.

Assembly Bill 2185—An act to add Section 1367.06 to the Health and Safety Code, relating to health care coverage.

Assembly Bill 2193—An act to amend Sections 22706 and 22708 of the Business and Professions Code, relating to tanning facilities.

Assembly Bill 2199—An act to add Section 2051.5 to the Insurance Code, relating to fire insurance, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2208—An act to amend Section 1374.58 of the Health and Safety Code, and to amend Section 10121.7 of, and to add Section 381.5 to, the Insurance Code, relating to domestic partners.

Assembly Bill 2252—An act to amend Sections 11000, 11000.1, 11004.5, 11018.1, and 11018.5 of, to add Chapter 2 (commencing with Section 11210) to Part 2 of Division 4 of, to repeal Sections 11004.6, 11018.8, 11018.9, 11018.10, 11018.11, and 11024 of, and to repeal Article 8.5 (commencing with Section 10250) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, to amend Sections 1365.1, 1367.1, 1689.5, and 1689.24 of the Civil Code, to amend Section 30610 of the Public Resources Code, and to amend Sections 998, 2188.8, 2188.9, and 7280 of the Revenue and Taxation Code, relating to time-share developments.

Assembly Bill 2298—An act to add Article 11 (commencing with Section 65610) to Chapter 3 of Division 1 of Title 7 of the Government Code, relating to water conservation.

Assembly Bill 2337—An act to amend Section 50078.1 of the Government Code, relating to fire suppression.

Assembly Bill 2339—An act to amend Section 66602 of the Education Code, relating to the California State University.

Assembly Bill 2353—An act to add and repeal Chapter 7 (commencing with Section 1963) of Division 2.5 of the Streets and Highways Code, and to amend Sections 385.5, 21250, and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

Assembly Bill 2412—An act to amend Section 1142 of the Unemployment Insurance Code, relating to unemployment insurance.

Assembly Bill 2431—An act to amend Sections 12028, 12028.5, 12028.7, 12030, and 12084 of, and to add Section 12021.3 to, the Penal Code, and to repeal Section 8107 of the Welfare and Institutions Code, relating to firearms.

Assembly Bill 2444—An act to add Section 10100.3 to the Insurance Code, relating to property insurance.

Assembly Bill 2475—An act to add Section 5027 to the Penal Code, relating to corrections.

Assembly Bill 2485—An act to add Section 17212.1 to the Education Code, relating to schools.

Assembly Bill 2503—An act to add Section 1936.1 to the Civil Code, relating to rental vehicles.

Assembly Bill 2521—An act to add Sections 6254.18 and 27522 to the Government Code, relating to autopsy reports.

Assembly Bill 2530—An act to amend Sections 706.034 and 1532 of the Code of Civil Procedure, to amend Section 5235 of the Family Code, to amend Sections 12461 and 12464 of, and to add Section 16582 to, the Government Code, and to amend Section 3088 of the Probate Code, relating to the Controller.

Assembly Bill 2533—An act to amend Section 8875.8 of the Government Code, relating to seismic safety.

Assembly Bill 2547—An act to amend Section 103900 of, and to add Section 103902 to, the Health and Safety Code, and to add Section 12803.5 to the Vehicle Code, relating to public health.

Assembly Bill 2580—An act to amend Sections 297.5 and 299 of the Family Code, and to amend Section 14771 of the Government Code, relating to domestic partnerships.

Assembly Bill 2627—An act to add Section 346.1 to the Welfare and Institutions Code, relating to juvenile court proceedings.

Assembly Bill 2629—An act to add Section 1566.75 to the Health and Safety Code, relating to community care facilities.

Assembly Bill 2632—An act to add Section 129875.1 to the Health and Safety Code, relating to health facilities.

Assembly Bill 2678—An act to add Chapter 1.5 (commencing with Section 99040) to Part 65 of the Education Code, relating to public postsecondary education.

Assembly Bill 2680—An act to amend Section 22375 of the Education Code, and to amend Section 20195 of the Government Code, relating to the State Teachers' Retirement System.

Assembly Bill 2720—An act to amend Section 129805 of the Health and Safety Code, relating to health facilities.

Assembly Bill 2729—An act to amend Sections 68750 and 68753 of the Government Code, relating to the Commission on Judicial Performance.

Assembly Bill 2752—An act to add Section 301.2 to the Corporations Code, relating to corporations.

Assembly Bill 2800—An act to amend and renumber Sections 66400, 66401, 66402, 66403, 66404, and 66405 of, to add Article 14 (commencing with Section 32440) to Chapter 3 of Part 19 of, and to repeal the heading of Chapter 6 (commencing with Section 66400) of Part 40 of, the Education Code, relating to academic materials.

Assembly Bill 2835—An act to add Article 15 (commencing with Section 870) to Chapter 1 of Division 2 of the Business and Professions Code relating to health care.

Assembly Bill 2845—An act to add Section 56525 to the Education Code, relating to special education.

Assembly Bill 2857—An act to amend Section 1604 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2883—An act to amend Section 5 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara Valley Water District.

Assembly Bill 2884—An act to amend Section 13305 of the Water Code, relating to water.

Assembly Bill 2889—An act to amend Section 12940 of the Government Code, relating to unlawful employment practices.

Assembly Bill 2906—An act to add Section 43200.1 to the Health and Safety Code, relating to air pollution.

Assembly Bill 2911—An act to repeal and add Section 701.5 of the Public Resources Code, relating to the Department of Forestry and Fire Protection.

Assembly Bill 2918—An act to add Section 747 to the Public Utilities Code, relating to desalination facilities.

Assembly Bill 2925—An act to add Section 3340 to the Food and Agricultural Code, relating to the California Exposition and State Fair.

Assembly Bill 2994—An act to amend Section 12405 of the Public Contract Code, relating to public contracts.

Assembly Bill 3072—An act to amend Section 17076 of, and to add Section 17049 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Assembly Bill 3075—An act to amend Sections 69.4, 214, 214.01, 214.02, 214.5, 214.8, and 214.14 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Assembly Bill 1836—An act to amend Sections 1354, 1357.120, and 1366.3 of, to amend and renumber Section 1368.4 of, and to add Article 5 (commencing with Section 1363.810) to Chapter 4 of, and Article 1 (commencing with Section 1368.3) and Article 2 (commencing with Section 1369.510) to Chapter 7 of, Title 6 of Part 4 of Division 2 of, the Civil Code, and to repeal Section 383 of the Code of Civil Procedure, relating to common interest developments.

Assembly Bill 1855—An act to amend Section 63040 of the Government Code, relating to economic development.

Assembly Bill 1913—An act to amend Section 319 of, to amend and repeal Section 309 of, and to repeal and amend Section 361.4 of, the Welfare and Institutions Code, relating to foster care.

Assembly Bill 2030—An act to amend Section 30458.3 of, and to add Section 30459.8 to, the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2057—An act to add Section 8016.5 to the Business and Professions Code, relating to certified shorthand reporters.

Assembly Bill 2228—An act to add Section 1514.5 to the Probate Code, to amend Section 827 of, and to add Section 204 to, the Welfare and Institutions Code, relating to minors.

Assembly Bill 2249—An act to amend Section 1861.16 of the Insurance Code, relating to automobile insurance.

Assembly Bill 2254—An act to add and repeal Section 25250.22 of the Health and Safety Code, relating to hazardous waste.

Assembly Bill 2347—An act to amend Section 1717.5 of the Civil Code, relating to attorney's fees.

Assembly Bill 2376—An act to amend Sections 1357.120 and 1373 of, and to add Section 1378 to, the Civil Code, relating to common interest developments.

Assembly Bill 2420—An act to amend Section 4584 of the Public Resources Code, relating to forest resources, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2429—An act to amend Section 1375.7 of the Health and Safety Code, relating to health care service plans.

Assembly Bill 2430—An act to amend Sections 5500 and 5501 of, and to add Section 5513 to, the Public Utilities Code, relating to commercial air carriers, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2549—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3620 and 3620.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Assembly Bill 2567—An act to add Section 17071.50 to the Education Code, relating to school facilities.

Assembly Bill 2606—An act to amend Sections 4466 and 9270 of the Vehicle Code, relating to vehicles.

Assembly Bill 2676—An act to amend Section 21661.5 of the Public Utilities Code, relating to airports.

Assembly Bill 2701—An act to amend Sections 13144 and 13152 of, and to repeal Section 12847.5 of, the Food and Agricultural Code, to amend Sections 12812.2 and 12812.5 of the Government Code, to amend Sections 901, 25174, 25178, 25244.11, 25295, 25299.81, 25369, 25395.32, 39607.5, 39619.5, 41712, 41865, 43101, 44011.6, 44100, 44104.5, 57007, and 115910 of, and to repeal Sections 39604, 39702.5, 43032, and 59019 of, the Health and Safety Code, to amend Section 14315 of the Penal Code, to amend Sections 42885.5, 42889.4 and 42889.5 of, to add Chapter 4 (commencing with Section 71069) to Part 2 of Division 34 of, and to repeal Section 42889.1 of, the Public Resources Code, to amend Sections 7672, 7711 and 7712 of the Public Utilities Code, to amend Sections 13191, 13292, 13369, and 13385 of, and to repeal Sections 10782, 13192, 13198, and 13399.39 of, the Water Code, and to amend Section 4 of Chapter 435 of the Statutes of 1994, relating to environmental protection.

Assembly Bill 2717—An act to add Section 65591.1 to the Government Code, relating to water conservation.

Assembly Bill 2747—An act to amend Section 17605 of the Welfare and Institutions Code, relating to social services.

Assembly Bill 2790—An act to amend Sections 4004, 9283, 9285, 10221, 10226, 10262, 10263, 10403.5, 12111, 13113, 17100, and 17304 of the Elections Code, and to amend Section 36801 of the Government Code, relating to elections.

Assembly Bill 2803—An act to add Section 1701.7 to the Public Utilities Code, relating to the Public Utilities Commission.

Assembly Bill 2811—An act to amend Sections 7100 and 7105 of the Health and Safety Code, relating to human remains.

Assembly Bill 2823—An act to add Section 101.12 to the Streets and Highways Code, relating to highways.

Assembly Bill 2848—An act to amend Sections 285, 286, 296, 331.1, 331.2, 426, 672, 11701, 11704.5, 11710, and 11723 of the Vehicle Code, relating to all-terrain vehicles.

Assembly Bill 2853—An act to amend Sections 27131, 27297.5, 53646, and 71380 of the Government Code, to amend Section 853.6 of the Penal Code, to amend Section 63.1 of the Revenue and Taxation Code, and to amend Section 21401 of the Vehicle Code, relating to local government expenses, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2885—An act to add Section 32289 to, and to repeal Section 35294.95 of, the Education Code, relating to school safety.

Assembly Bill 2897—An act to amend Sections 7500, 7503, 7510, 7511, and 7515 of, and to repeal Section 7555 of the Penal Code, relating to prisoners, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2904—An act to amend Section 116.5 of the Insurance Code, relating to auto insurance, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2921—An act to amend Sections 31001, 31125, 31300, 31303, 31402, 31403, 31405, and 31410 of, and to add Sections 31109, 31212, 31213, 31406, 31407, 31408, and 31411 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises, and declaring the urgency thereof, to take effect immediately.

Assembly Concurrent Resolution 209—Relative to the Kern County Korean War Veterans Memorial Highway.

Assembly Concurrent Resolution 221—Relative to student volunteer programs.

REPORTS OF STANDING COMMITTEES**Committee on Banking, Commerce and International Trade**

Date of Hearing, May 19, 2004

Mr. President: The Committee on Banking, Commerce and International Trade, to which was referred:

SB 1904

Reports the same back with the recommendation: Do pass.

FLOREZ, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing, May 17, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1454

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Rules

State Capitol, May 20, 2004

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:

Pat L. Vazquez, Warden, Wasco State Prison (5-0)

Lea Ann Chrones, Warden, North Kern State Prison, Delano (5-0)

Kathleen A. Prosper, Warden, California Correctional Center, Susanville (5-0)

James A. Yates, Warden, Pleasant Valley State Prison (5-0)

BURTON, Chair

Above appointments ordered placed on unfinished business file.

State Capitol, May 19, 2004

Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 5-0, has re-referred AB 598 (Hancock) and AB 1486 (Dutra) to the Senate Committee on Education.

BURTON, Chair

Committee on Transportation

Senate Chamber, May 20, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

AB 2139

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 2139—An act to amend Sections 27315, 27360, 27360.5, 27361, 27362, and 27365 of the Vehicle Code, relating to vehicles.

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, May 20, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 3041

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3041—An act to amend Sections 100825 and 100831 of the Health and Safety Code, relating to environmental laboratories.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Elections and Reapportionment

Senate Chamber, May 20, 2004

Mr. President: The Chair of the Committee on Elections and Reapportionment, to which was referred:

AB 890

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 890—An act to amend Section 85316 of the Government Code, relating to the Political Reform Act of 1974, and declaring the 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.

Committee on Rules

May 20, 2004

Mr. President: The Committee on Rules has examined:

SB 631

And reports that the same has been correctly enrolled, and held at the Desk pursuant to Joint Rule 57.

BURTON, Chair

Committee on Appropriations

Senate Chamber, May 20, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1912

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Senate Chamber, May 20, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2496

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 2496—An act to add Chapter 5.1 (commencing with Section 16524) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to child welfare services.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Date of Hearing, May 20, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1087	SB 1151	SB 1237	SB 1280
SB 1144	SB 1227	SB 1254	SB 1309
SB 1147	SB 1228	SB 1279	SB 1318

SB 1333	SB 1448	SB 1591	SB 1851
SB 1348	SB 1463	SB 1640	SB 1875
SB 1351	SB 1478	SB 1657	SB 1887
SB 1354	SB 1487	SB 1676	SB 1892
SB 1361	SB 1492	SB 1689	SB 1899
SB 1365	SB 1497	SB 1694	SB 1903
SB 1375	SB 1522	SB 1713	SB 1910
SB 1399	SB 1531	SB 1735	SCA 8
SB 1400	SB 1533	SB 1737	AB 1510
SB 1439	SB 1536	SB 1760	
SB 1446	SB 1578	SB 1785	

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above measures ordered to second reading.

Date of Hearing, May 20, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1138	SB 1155	SB 1442	SB 1597
SB 1140	SB 1287	SB 1453	SB 1618
SB 1145	SB 1342	SB 1566	

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Committee on Rules

State Capitol, May 20, 2004

Mr. President: The Senate Rules Committee has appointed Senator Johnson as a member and Vice Chair of the Senate Committee on Budget and Fiscal Review to replace Senator Ackerman. Senator Johnson will also replace Senator Ackerman on Budget Subcommittee #4.

The Senate Rules Committee has appointed Senator Morrow as Vice Chair of the Senate Committee on Insurance to replace Senator Johnson. In addition, the Committee appointed Senator Denham as a member to fill the vacancy left by Senator Johnson.

The Senate Rules Committee has adopted Senate Rules Committee Resolution #12 outlining the jurisdiction of the Select Committee on Gasoline and Diesel Pricing and appointed Senator Margett to fill the existing vacancy.

BURTON, Chair

State Capitol, May 19, 2004

The Committee on Rules has referred the following measures to committee:

Agriculture and Water Resources—AB 2478, AB 2733, AB 2916, AB 2920, AB 3024, AB 3045, AB 3046.

Banking, Commerce and International Trade—AB 2156, AB 2671, AB 3070.

Business and Professions—AB 1816, AB 2004, AB 2150, AB 2184, AB 2464, AB 2560, AB 2562, AB 2654.

Education—AB 2029, AB 2370, AB 2407, AB 2469, AB 2849, AB 3063.

Elections and Reapportionment—AB 2854, AB 3098.

Energy, Utilities and Communications—AB 2304, AB 2593, AB 2643, AB 2767.

Environmental Quality—AB 2093, AB 2251, AB 2439, AB 2506, AB 2587, AB 2834, AB 2877, AB 2953, AB 3040, AB 3041.

Governmental Organization—AB 2296, AB 2878, AB 3043, AB 3083, AB 3088, AB 3096.

Health and Human Services—AB 1898, AB 1986, AB 2127, AB 2352, AB 2496, AB 2550, AB 2821, AB 2871.

Housing and Community Development—AB 2638, AB 3032, AB 3033.

Insurance—AB 1859, AB 2384, AB 2557, AB 2684.

Judiciary—AB 1990, AB 2023, AB 2062, AB 2089, AB 2137, AB 2165, AB 2713, AB 2723, AB 2873.

Labor and Industrial Relations—AB 1867.

Local Government—AB 1936, AB 2242, AB 2243, AB 2306, AB 2630, AB 2755, AB 2782, AB 3065.

Natural Resources and Wildlife—AB 1984, AB 2063, AB 2072, AB 2140, AB 2519, AB 2810.

Public Employment and Retirement—AB 2330.

Public Safety—AB 1802, AB 1864, AB 1924, AB 2078, AB 2191, AB 2428, AB 2479.

Revenue and Taxation—AB 2204, AB 2846, AB 3071.

Rules—AB 2442, AB 3084.

Transportation—AB 2040, AB 2566, AB 2628, AB 2644, AB 2651, AB 2844.

Veterans Affairs—AB 1939, AB 3000.

The Committee on Rules has referred the following measures to two committees:

Business and Professions and **Judiciary**—AB 2691.

Business and Professions and Public Safety—AB 2216.

Education and Health and Human Services—AB 2132.

Elections and Reapportionment and Constitutional Amendments—
SCA 14.

Health and Human Services and Education—AB 2286.

Health and Human Services and Judiciary—AB 2876.

Health and Human Services and Public Safety—AB 2749.

Revenue and Taxation and Health and Human Services—AB 2491.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1275—An act to add Sections 1264, 1264.5, and 1264.6 to the Health and Safety Code, relating to health facilities.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted, bill ordered printed, engrossed, and to third reading.

Senate Bill 1718—An act to add Section 8572.5 to the Government Code, relating to maritime security.

Bill read second time, ordered engrossed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill 1292—An act to add Section 14411 to the Financial Code, relating to credit unions.

Bill read third time.

Amendments Adopted

Amendments to SB 1292 proposed by Senator Dunn were read and adopted and the measure ordered printed, engrossed, and to second reading.

Senate Bill 1809—An act to amend Section 2699 of the Labor Code, relating to employment.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1809 pursuant to Joint Rule 58.

SENATOR DUNN

Permission of Rules Committee

Senate Chamber, May 20, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1809.

BURTON, Chair

Amendments Adopted

Amendments to SB 1809 proposed by Senator Dunn were read and adopted and the measure ordered printed, engrossed, and to second reading.

Senate Bill 1782—An act to add Section 11152.5 to the Health and Safety Code, and to add Section 1538.1 to the Penal Code, relating to medical crime.

Bill read third time.

Amendments Adopted

Amendments to SB 1782 proposed by Senator Aanestad were read and adopted and the measure ordered printed, engrossed, and to second reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 83, ACR 50, ACR 205, ACR 208, ACR 210, ACR 217, ACR 220, and ACR 227** were withdrawn from Committee and placed on the Special Consent Calendar to be taken up on Monday, May 24.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 824** was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committee on Rules.

UNANIMOUS CONSENT TO GIVE BILLS SECOND READING

Without objection, Senate bills reported by the Committee on Appropriations today and the week of May 24 will be given their second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1454—An act to amend Section 42238.3 of, and to add Section 42238.25 to, the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1912—An act to add Section 49414.7 to the Education Code, relating to pupil health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1087—An act to amend Sections 2331, 2333, and 2333.5 of, the Streets and Highways Code, relating to highways.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1144—An act to amend Sections 14977.1 and 14981 of the Government Code, relating to public contracts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1147—An act to amend Sections 218, 17207, and 24347.5 of the Revenue and Taxation Code, relating to disaster relief, to take effect immediately, tax levy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1151—An act to amend Section 707 of the Welfare and Institutions Code, relating to juvenile crime.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1227—An act to add Sections 19531.1 and 19614.6 to the Business and Professions Code, relating to horse racing.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1228—An act to add Section 50662.8 to the Health and Safety Code, relating to housing assistance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1237—An act to amend Section 76 of Chapter 35 of the Statutes of 2002, relating to taxation, to take effect immediately, tax levy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1254—An act to amend Sections 51871, 51872, 51873, and 51874 of the Education Code, relating to education technology.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1279—An act to add Sections 1798.29.5 and 1798.82.5 to, and to repeal Sections 1798.29 and 1798.82 of, the Civil Code, relating to identity theft.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1280—An act to add Section 12670.10 to the Water Code, relating to water.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1309—An act to amend Sections 52616.17 and 52616.19 of, to repeal Section 52616.23 of, and to add Section 52616.26 to, the Education Code, relating to adult education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1318—An act to add Sections 79574 and 79574.5 to the Water Code, relating to natural resources.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1333—An act to add Section 120956 to the Health and Safety Code, and to add Section 14105.75 to the Welfare and Institutions Code, relating to prescription drugs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1348—An act to add Section 56509 to the Education Code, relating to special education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1351—An act to add Section 87406.3 to the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1354—An act to add Sections 17039.2 and 23036.2 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1361—An act to add Section 14107.6 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1365—An act to add Division 14 (commencing with Section 23000) to the Welfare and Institutions Code, relating to individuals with disabilities.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1375—An act to amend Section 464 of the Streets and Highways Code, relating to transportation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1399—An act to add Chapter 9 (commencing with Section 3090) to Title 1 of Part 3 of the Penal Code, and to add Section 1768.5 to the Welfare and Institutions Code, relating to prisoners.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1400—An act to add Chapter 2.5 (commencing with Section 5072) to Title 7 of Part 3 of the Penal Code, relating to corrections.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1439—An act to amend Section 21224 of the Government Code, relating to public employees' retirement.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1446—An act to add Section 104324.27 to the Health and Safety Code, relating to environmental health.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1448—An act to amend Sections 60601, 60602, 60603, 60607, 60640, 60641, and 60642 of the Education Code, relating to pupil assessment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1463—An act to amend Section 41203.1 of, and to add Sections 84750.5 and 84755.5 to, the Education Code, relating to school finance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1478—An act to amend Sections 25740, 25743, 25744, and 25748 of, and to repeal Sections 25745 and 25749 of, the Public Resources Code, and to amend Sections 399.11, 399.12, 399.13, 399.14, 399.15, and 399.16 of, and to add Section 399.17 to, the Public Utilities Code, relating to energy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1487—An act to add and repeal Sections 1279.1 and 128735.1 of the Health and Safety Code, relating to health facilities.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1492—An act to add Chapter 6.5 (commencing with Section 1112) to Part 3 of Division 2 of the Labor Code, relating to employment.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1497—An act to amend Section 96.1 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1522—An act to amend Section 3041 of the Penal Code, relating to parole.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1531—An act to amend Section 47602 of the Education Code, relating to charter schools.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1533—An act to repeal Sections 124250 and 124251 of the Health and Safety Code, and to add Section 13823.14 to the Penal Code, relating to the Office of Victim Services.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1536—An act to amend Sections 33126, and 49600 of the Education Code, relating to school personnel.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1578—An act to amend Section 339 of the Streets and Highways Code, relating to highways.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1591—An act to amend Section 52314 of the Education Code, relating to regional occupational programs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1640—An act to add Article 3.2 (commencing with Section 3072) to Chapter 8 of Title 1 of Part 3 of the Penal Code, relating to parole.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1657—An act to add Section 8358.3 to the Education Code, relating to child care.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1676—An act to amend Section 6129 of the Penal Code, relating to crime.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1689—An act to amend Section 32425 of the Education Code, to add Section 17131.2 to the Revenue and Taxation Code, and to amend Section 2629.5 of the Unemployment Insurance Code, relating to reparations, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1694—An act to amend Section 68152 of the Government Code, and to amend Sections 23540, 23546, 23550, 23560, 23566, 23622, and 23646 of the Vehicle Code, relating to vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1713—An act to amend Sections 17072, 17132.5, 17152, 17731, 18571, 23701w, and 23712 of, to add Sections 17160.5, 17202.5, and 23703.5 to, and to repeal and amend Section 17144.5 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1735—An act to add Sections 12439.5 and 16321 to the Government Code, relating to state offices.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1737—An act to amend Sections 296, 296.1, 298.1, 299.5, and 300 of the Penal Code, relating to crimes.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1760—An act to add Section 128 to the Government Code, relating to sovereign immunity.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1785—An act to add Section 66739.5 to the Education Code, relating to public postsecondary education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1851—An act to amend Sections 15814.31 and 15814.34 of, to amend and repeal Section 15814.30 of, and to add Sections 15814.30.2, 15814.30.5, and 15814.31.5 to, the Government Code, relating to state property.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1875—An act to add Section 84760 to the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1887—An act to add Section 25399.3 to the Health and Safety Code, relating to hazardous waste.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1892—An act to amend Section 19130 of, and to repeal and add Sections 19131 and 19132 of, the Government Code, and to repeal and add Section 10337 of the Public Contract Code, relating to public contracts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1899—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1903—An act to amend Section 1262 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1910—An act to amend Section 42815 of the Food and Agricultural Code, relating to agriculture.

Bill read second time, ordered engrossed, and to third reading.

Senate Constitutional Amendment 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 15.5 to Article 1 thereof, relating to prisoners.

Resolution read second time, ordered engrossed, and to third reading.

Senate Bill 1138—An act to amend Sections 37700, 37701, 37702, 37703, 37704, 37706, and 37707 of, and to add Sections 37700.10 and 37710 to, the Education Code, relating to school districts.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1140—An act to amend Sections 12035, 12036, 12071, and 12078 of the Penal Code, relating to firearms.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1145—An act to amend Sections 1946.1, 1950.5, 1954.52, and 1954.53 of, and to amend and repeal Section 827 of, the Civil Code, to amend Section 1161.2 of the Code of Civil Procedure, to amend Section 7060.4 of, and to amend and repeal Section 12955 of, the Government Code, and to amend Section 17997.8 of the Health and Safety Code, relating to tenancy.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1155—An act to add Section 138.10 to 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, engrossed, and to third reading.

Senate Bill 1287—An act to amend Section 2081.5 of, and to add Sections 1016.7, 2057, 2057.5, and 2058 to, the Penal Code, relating to prisoners.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1342—An act to amend Sections 6125 , 6128, and 6129 of, and to add Section 6130 to, the Penal Code, relating to the Inspector General.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1442—An act to add Section 84757.5 to the Education Code, relating to community colleges.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1453—An act to amend Sections 1400, 1402, and 1403 of, and to add Section 1401.5 to the Labor Code, relating to employment.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1566—An act to amend Sections 49430, 49431, 49431.5, and 49433.7 of, and to add Section 49431.7 to, the Education Code, relating to schools.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1597—An act to amend Section 10501 of, and to add Article 3 (commencing with Section 10540) to Chapter 4 of Part 2 of Division 2 of Title 2 of, the Government Code, relating to state audits.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1618—An act to amend Section 226 of the Labor Code, relating to employee compensation.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

SENATE COMMITTEE ROLL CALLS

Committee on Banking, Commerce and International Trade

SB 1904—Do pass

AYES (5)—Senators Ducheny, Dunn, Florez, Karnette, and Perata.

NOES (1)—Senator Hollingsworth.

Date of Hearing: 5/19/04

Florez (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Oller.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 10:30 a.m., Monday, May 24, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, May 24, 2004

The Senate met at 10:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Sophia, Wisdom Spirit, As You have set the moon in the night sky to be the lantern for the poor, so let Your light illuminate our paths; as the rice is sown in the water and brings forth grain in abundance, so let Your word be sown in our midst that the harvest may be great; and as the Banyan sends forth branches to take root in the soil, so let Your life take root in our lives.—AMEN.

(adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Escutia led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 20, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SCR 79

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, May 20, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 222

ACR 229

ACR 232

ACR 233

AJR 79

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 222—Relative to Small Business Month.

Assembly Concurrent Resolution 229—Relative to California Museum Month.

Assembly Concurrent Resolution 232—Relative to Armed Forces Day.

Assembly Concurrent Resolution 233—Relative to Yellow Ribbon Day.

Assembly Joint Resolution 79—Relative to corporate elections.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing, May 17, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1405

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Date of Hearing, May 20, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1168	SB 1380	SB 1585	SB 1758
SB 1178	SB 1381	SB 1590	SB 1774
SB 1180	SB 1390	SB 1608	SB 1793
SB 1212	SB 1415	SB 1617	SB 1794
SB 1223	SB 1420	SB 1624	SB 1795
SB 1234	SB 1438	SB 1634	SB 1802
SB 1262	SB 1443	SB 1639	SB 1808
SB 1302	SB 1459	SB 1642	SB 1841
SB 1305	SB 1477	SB 1644	SB 1845
SB 1319	SB 1480	SB 1645	SB 1850
SB 1331	SB 1496	SB 1648	SB 1893
SB 1343	SB 1500	SB 1660	SB 1897
SB 1346	SB 1525	SB 1671	
SB 1359	SB 1541	SB 1754	
SB 1374	SB 1582	SB 1757	

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, May 24, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1468

AB 1489

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1468—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 quality.

Bill read second time.

Assembly Bill 1489—An act to amend Section 19826 of the Business and Professions Code, relating to gambling.

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, May 24, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 1704

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 1704—An act to amend Section 27282 of the Government Code, relating to family law.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Date of Hearing, May 20, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1421

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bill ordered to second reading.

Date of Hearing, May 20, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1149	SB 1221	SB 1423	SB 1860
SB 1161	SB 1316	SB 1462	
SB 1192	SB 1419	SB 1630	

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, May 21, 2004

Mr. President: The Committee on Rules has examined:

SB 1842

And reports that the same has been correctly enrolled, and presented to the Governor on the 21st day of May, 2004, at 2 p.m.

BURTON, Chair

Committee on Insurance

Senate Chamber, May 24, 2004

Mr. President: The Chair of the Committee on Insurance, to which were referred:

AB 1297

AB 1596

AB 1955

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1297—An act to amend Sections 1623 and 1662 of, and to add Section 1704.1 to, the Insurance Code, relating to insurance.

Bill read second time.

Assembly Bill 1596—An act to amend Sections 1363.07 and 1373.96 of the Health and Safety Code, and to amend Sections 10113.8 and 10133.56 of the Insurance Code, relating to health care coverage.

Bill read second time.

Assembly Bill 1955—An act to add Section 1140.1 to the Insurance Code, relating to life insurance.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill 1904—An act to add Article 1.5 (commencing with Section 865) to Chapter 7 of Division 1 of the Financial Code, relating to financial institutions, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1292—An act to add and repeal Section 14411 of the Financial Code, relating to credit unions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1809—An act to amend Section 2699 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1782—An act to add Section 11152.5 to the Health and Safety Code, and to add Section 1538.1 to the Penal Code, relating to medical crime.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1510—An act to add Sections 195.89, 195.90, and 195.91 to the Revenue and Taxation Code, relating to disaster relief, 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 Senate Rule 29.10, **SB 871** was referred to the Committee on Transportation.

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 83—Relative to National Aphasia Awareness Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 50—Relative to Public Service Recognition Week.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 205—Relative to Autism Awareness Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 208—Relative to State Parks Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 210—Relative to California SAFE KIDS Week.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 217—Relative to National Day of Prayer.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 220—Relative to Black April Memorial Week.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 227—Relative to recognizing May 2004 as Asian and Pacific Islander American Heritage Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar adopted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

THIRD READING OF SENATE BILLS

Senate Bill 1817—An act to amend Section 71090 of, and to repeal Section 71090.5 of, the Education Code, relating to higher education governance.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1535—An act to add Section 66025.2 to the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Karnette.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Karnette moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1776—An act to add and repeal Sections 25550 and 25550.5 of the Public Resources Code, relating to energy resources.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

Senate Bill 1454—An act to amend Section 42238.3 of, and to add Section 42238.25 to, the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Hollingsworth.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1087—An act to amend Sections 2331, 2333, and 2333.5 of, the Streets and Highways Code, relating to highways.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Torlakson, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1144—An act to amend Sections 14977.1 and 14981 of the Government Code, relating to public contracts.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, McClintock, Murray, Oller, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McPherson, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1151—An act to amend Section 707 of the Welfare and Institutions Code, relating to juvenile crime.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1237—An act to amend Section 76 of Chapter 35 of the Statutes of 2002, relating to taxation, to take effect immediately, tax levy.

Bill read third time and presented by Senator Hollingsworth.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Bowen, Brulte, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1279—An act to add Sections 1798.29.5 and 1798.82.5 to, and to repeal Sections 1798.29 and 1798.82 of, the Civil Code, relating to identity theft.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (9)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1891—An act to amend Section 780.5 of, and to amend and renumber Section 454.1 of, the Public Utilities Code, relating to public utilities.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1351—An act to add Section 87406.3 to the Government Code, relating to the Political Reform Act of 1974.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Ashburn.

Bill ordered transmitted to the Assembly.

Senate Bill 1365—An act to add Division 14 (commencing with Section 23000) to the Welfare and Institutions Code, relating to individuals with disabilities.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senator Burton Presiding

Senate Bill 1375—An act to amend Section 464 of the Streets and Highways Code, relating to transportation.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Battin.

Bill ordered transmitted to the Assembly.

Senate Bill 1399—An act to add Chapter 9 (commencing with Section 3090) to Title 1 of Part 3 of the Penal Code, and to add Section 1768.5 to the Welfare and Institutions Code, relating to prisoners.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1400—An act to add Chapter 2.5 (commencing with Section 5072) to Title 7 of Part 3 of the Penal Code, relating to corrections.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (3)—Senators Ackerman, Ashburn, and Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 1463—An act to amend Section 41203.1 of, and to add Sections 84750.5 and 84755.5 to, the Education Code, relating to school finance.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1478—An act to amend Sections 25740, 25743, 25744, and 25748 of, and to repeal Sections 25745 and 25749 of, the Public Resources Code, and to amend Sections 399.11, 399.12, 399.13, 399.14, 399.15, and 399.16 of, and to add Section 399.17 to, the Public Utilities Code, relating to energy.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Aanestad, Ackerman, Denham, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1487—An act to add and repeal Sections 1279.1 and 128735.1 of the Health and Safety Code, relating to health facilities.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1522—An act to amend Section 3041 of the Penal Code, relating to parole.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1694—An act to amend Section 68152 of the Government Code, and to amend Sections 23540, 23546, 23550, 23560, 23566, 23622, and 23646 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny,

Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1737—An act to amend Sections 296, 296.1, 298.1, 299.5, and 300 of the Penal Code, relating to crimes.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1760—An act to add Section 128 to the Government Code, relating to sovereign immunity.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1785—An act to add Section 66739.5 to the Education Code, relating to public postsecondary education.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, Margett, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (7)—Senators Ackerman, Ashburn, Battin, Hollingsworth, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1851—An act to amend Sections 15814.31 and 15814.34 of, to amend and repeal Section 15814.30 of, and to add Sections 15814.30.2, 15814.30.5, and 15814.31.5 to, the Government Code, relating to state property.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1887—An act to add Section 25399.3 to the Health and Safety Code, relating to hazardous waste.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Aanestad, Ackerman, Ashburn, Brulte, Hollingsworth, Margett, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1903—An act to amend Section 1262 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado,

Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1910—An act to amend Section 42815 of the Food and Agricultural Code, relating to agriculture.

Bill read third time and presented by Senator Machado.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1342—An act to amend Sections 6125, 6128, and 6129 of, and to add Section 6130 to, the Penal Code, relating to the Inspector General.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Ackerman, Ashburn, Denham, Hollingsworth, Margett, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1442—An act to add Sections 52611 and 84757.5 to the Education Code, relating to education finance.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Kuehl, Machado, McPherson, Murray, Ortiz,

Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1453—An act to amend Section 1401 of the Labor Code, relating to employment.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1566—An act to amend Sections 49430, 49431, 49431.5, and 49433.7 of, and to add Section 49431.7 to, the Education Code, relating to schools.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 1535)

On motion of Senator Karnette, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1535 was adopted by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette,

Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Above bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (ACR 207)

Senator Vasconcellos asked for, and was granted, unanimous consent that ACR 207 be withdrawn from committee and taken up at this time, without reference to file.

Consideration of Assembly Concurrent Resolution 207

Assembly Concurrent Resolution 207—Relative to school health.

Resolution read.

Roll Call

The roll was called and the measure was adopted by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, Oller, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Resolution ordered transmitted to the Assembly

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 772—An act to amend Sections 955.1 and 3440.1 of the Civil Code, to amend Section 9109 of the Commercial Code, and to amend Section 1731 of, to add and repeal Section 1769 of, and to add Article 5.6 (commencing with Section 848) to Chapter 4 of Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Bowen.

The question being: Shall the Senate concur in the Assembly amendments to SB 772?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Above bill ordered enrolled.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on May 26:

SCR 65	SB 1361	SB 1591	SB 1597
SB 1718	SB 1439	SB 1657	SB 1618
SB 1912	SB 1448	SB 1689	SB 1782
SB 1147	SB 1497	SB 1713	AB 700
SB 1228	SB 1533	SB 1875	AB 1510
SB 1309	SB 1536	SB 1899	
SB 1348	SB 1578	SB 1138	

REQUEST TO BE ADDED TO ROLL CALL

May 24, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1279—Aye SB 1351—Aye SB 1375—Aye
 SB 1887—Aye

JOHN L BURTON, President pro Tempore

May 24, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1144—No SB 1151—No SB 1351—Aye
 SB 1375—Aye SB 1442—No ACR 207—Aye

DICK ACKERMAN, Minority Floor Leader

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 12:28 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, May 25, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 24, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 438

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, May 24, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

AB 1749

Assembly Chamber, May 24, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1796	AB 2269	AB 2655	AB 2839
AB 1882	AB 2288	AB 2666	AB 2855
AB 1946	AB 2319	AB 2679	AB 2861
AB 1969	AB 2328	AB 2681	AB 2894
AB 1982	AB 2348	AB 2739	AB 2923
AB 2032	AB 2351	AB 2758	AB 2942
AB 2035	AB 2403	AB 2761	AB 2946
AB 2054	AB 2417	AB 2783	AB 3022
AB 2065	AB 2504	AB 2799	AB 3047
AB 2155	AB 2517	AB 2805	AB 3049
AB 2234	AB 2545	AB 2814	AB 3087
AB 2238	AB 2558	AB 2830	

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 1796—An act to add Section 18901.3 to the Welfare and Institutions Code, relating to human services.

Assembly Bill 1882—An act to amend Section 186.26 of the Penal Code, relating to criminal gangs.

Assembly Bill 1946—An act to amend Section 1170 of the Penal Code, relating to sentencing.

Assembly Bill 1969—An act to add Sections 89500.7 and 92611.7 to the Education Code, relating to public postsecondary education.

Assembly Bill 1982—An act to add Section 1507 to the Fish and Game Code, relating to wildlife management, and making an appropriation therefor.

Assembly Bill 2032—An act to add Sections 149.4, 149.5, and 149.6 to the Streets and Highways Code, relating to transportation.

Assembly Bill 2035—An act to add Section 17592.7 to the Education Code, relating to school facilities.

Assembly Bill 2054—An act to amend Section 599 of the Food and Agricultural Code, relating to agricultural pilot projects.

Assembly Bill 2065—An act to add Section 13113.5 to the Health and Safety Code, relating to fire protection.

Assembly Bill 2155—An act to add Section 31316 to the Public Resources Code, relating to coastal resources.

Assembly Bill 2234—An act to amend Sections 31485.7, 31485.8, 31486.2, 31489, 31490, 31494.1, 31494.3, 31495.5, 31499.2, and 31499.12 of, to add Sections 31490.5 and 31522.6 to, and to repeal and add Sections 31486.3, 31499.3, and 31499.13 of, the Government Code, relating to county employees' retirement.

Assembly Bill 2238—An act to amend Section 1299.12 of, and to add Section 1299.14 to, the Penal Code, relating to bail.

Assembly Bill 2269—An act to amend Section 972.1 of the Military and Veterans Code, relating to veterans.

Assembly Bill 2288—An act to amend Section 422.7 of the Penal Code, relating to crimes.

Assembly Bill 2319—An act relating to intellectual property.

Assembly Bill 2328—An act to amend Sections 23809 and 24654 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Assembly Bill 2348—An act to amend Sections 65583, 65583.1, 65589.5, and 65915 of, and to add Section 65583.2 to, the Government Code, relating to housing.

Assembly Bill 2351—An act to amend Sections 798.16, 798.26, 798.285, 798.37, and 799.1.5 of, and to add Section 799.2.5 to, the Civil Code, relating to mobilehome parks.

Assembly Bill 2403—An act to amend Section 647.7 of, and to add Section 647.05 to the Penal Code, relating to crime.

Assembly Bill 2417—An act to add Sections 273a and 273.03 to the Penal Code, relating to crime.

Assembly Bill 2504—An act to add Section 49537 to the Education Code, relating to pupils.

Assembly Bill 2517—An act to add Section 13014 to the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Assembly Bill 2545—An act to add Section 6402.5 to the Labor Code, relating to employment.

Assembly Bill 2558—An act to amend Section 100 of the Revenue and Taxation Code, relating to local government finance.

Assembly Bill 2655—An act to amend Section 12500.8 of the Business and Professions Code, relating to weights and measures.

Assembly Bill 2666—An act to amend Sections 5001.5, 5001.8, 5003.15, 5010, 5090.02, 5090.09, 5090.15, 5090.24, 5090.35, and 5090.53 of, and to amend the heading of Article 4 (commencing with Section 5090.40) of Chapter 1.25 of Division 3 of, to amend and renumber Section 5090.46 of, the Public Resources Code, to amend Section 8352.8 of the Revenue and Taxation Code, and to amend Sections 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5, 38020, 38370, and 40610 of, to amend and repeal Section 38241 of, to amend, repeal, and add Section 38240 of, and to add Sections 38346 and 38375 to, the Vehicle Code, relating to vehicles.

Assembly Bill 2679—An act to amend Section 14007.9 of the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 2681—An act to add Section 3522 to the Government Code, relating to state employees.

Assembly Bill 2739—An act to amend Section 981.2 of the Military and Veterans Code, relating to veterans.

Assembly Bill 2758—An act to amend Section 276.5 of the Public Utilities Code, relating to telecommunications.

Assembly Bill 2761—An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

Assembly Bill 2783—An act to add Section 27388.5 to the Government Code, relating to recording fees.

Assembly Bill 2799—An act to amend Section 2890 of the Public Utilities Code, relating to telecommunications.

Assembly Bill 2805—An act to add Section 33333.12 to the Health and Safety Code, relating to redevelopment.

Assembly Bill 2814—An act to amend Section 21167.6.5 of the Public Resources Code, relating to natural resources.

Assembly Bill 2830—An act to amend Sections 3237 and 3258 of the Public Resources Code, relating to natural resources.

Assembly Bill 2839—An act to add Section 2785.5 to the Business and Professions Code, relating to healing arts.

Assembly Bill 2855—An act to amend Sections 32282, 35295, 35296, 42140, 48900.1, 48910, and 51230 of, and to repeal Sections 38132, 48211, and 48214 of the Education Code, to amend Sections 6550 and 6552 of the Family Code, to amend Section 17556 of the Government Code, and to amend Sections 124100 and 124105 of the Health and Safety Code, relating to education.

Assembly Bill 2861—An act to amend Sections 4017.1 and 5071 of the Penal Code, relating to sentenced persons.

Assembly Bill 2894—An act to add Section 31874.6 to the Government Code, relating to county employees' retirement.

Assembly Bill 2923—An act to add Article 2 (commencing with Section 66910) to Chapter 11 of Part 40 of, and to repeal Sections 66901, 66903, and 67002 of, the Education Code, relating to postsecondary education.

Assembly Bill 2942—An act to amend and repeal Section 37252.1, of the Education Code, relating to pupil instruction, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2946—An act to add Section 10007 to the Penal Code, relating to inmates.

Assembly Bill 3022—An act to amend Sections 50781 and 50784 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

Assembly Bill 3047—An act to amend Section 470 of the Streets and Highways Code, and to amend Section 5201 of the Vehicle Code, relating to transportation.

Assembly Bill 3049—An act to amend Sections 1803.5, 2800, 12505, 12517, 12517.4, 12804.9, 13353, 13353.4, 13353.7, 13369, 14601.5, 15210, 15278, 15300, 15302, 15304, 15306, 15308, 15311, 15312, 16073, 16431, 22406.1, 41501, and 42005 of, to add Sections 13366.5, 15275.1, 15311.1, 15312.1, and 15325 to, and to repeal Section 13353.6 of, the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Assembly Bill 3087—An act relating to emergency services.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing, May 20, 2004

Mr. President: The Committee on Appropriations, to which were referred:

SB 1245	SB 1322	SB 1334
SB 1764	SB 1900	

Reports the same back with the recommendation: Do pass as amended.
ALPERT, Chair

Above measures ordered to second reading.

Committee on Judiciary

Senate Chamber, May 24, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 129	AB 252
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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 129—An act to amend Sections 241.1, 387, and 11401 of, and to add Sections 241.2 and 366.5 to, the Welfare and Institutions Code, relating to the juvenile court.

Bill read second time.

Assembly Bill 252—An act to amend Section 7634 of, to add Section 7635.5 to, and to add Article 1.5 (commencing with Section 7645) to Chapter 4 of Part 3 of Division 12 of, the Family Code, relating to paternity.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Transportation

Senate Chamber, May 24, 2004

Mr. President: The Chair of the Committee on Transportation, to which were referred:

AB 338	AB 340	AB 775	AB 2644
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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 338—An act to add Section 42703 to the Public Resources Code, relating to recycling.

Bill read second time.

Assembly Bill 340—An act to amend Sections 21464, 40000.13, and 42001 of the Vehicle Code, relating to traffic control devices.

Bill read second time.

Assembly Bill 775—An act to amend Sections 2331, 2333, and 2333.5 of the Streets and Highways Code, relating to transportation.

Bill read second time.

Assembly Bill 2644—An act to add Chapter 8.8 (commencing with Section 44273) to Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, May 24, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 649

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 649—An act relating to developmental disabilities.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Revenue and Taxation

Senate Chamber, May 24, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 2204

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2204—An act to amend Sections 830 and 862 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, May 24, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2876

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 2876—An act to add Section 128766 to the Health and Safety Code, relating to health facilities.

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, May 24, 2004

Mr. President: The Senate Rules Committee has appointed Senator Johnson as a member of the Joint Legislative Budget Committee to replace Senator Ackerman.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1405—An act to add Section 60401 to the Education Code, relating to instructional materials, 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, engrossed, and to third reading.

Senate Bill 1168—An act to add Chapter 8 (commencing with Section 105440) to Part 5 of Division 103 of the Health and Safety Code, relating to public health, 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.

Senate Bill 1178—An act to add Sections 16002.5 and 16004.5 to the Welfare and Institutions Code, relating to dependent children.

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.

Senate Bill 1180—An act to add Article 10.9.1 (commencing with Section 25219.3) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1212—An act to amend Sections 16265.2 and 29100.6 of the Government Code, to amend Section 10754 of, to amend and repeal Section 11000 of, and to add Article 3.5 (commencing with Section 97.7) to Part 0.5 of Division 1 of, the Revenue and Taxation Code, and to add Section 2129 to the Streets and Highways Code, relating to local government finance, 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.

Senate Bill 1223—An act to add Section 1170.195 to the Penal Code, relating to juvenile crime.

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.

Senate Bill 1234—An act to amend Section 52.1 of the Civil Code, to amend Sections 200 and 220 of the Education Code, to amend Section 12926 of the Government Code, and to amend Sections 190.03, 422.6, 422.7, 422.75, 594.3, 11410, 11413, 13023, 13515.25, 13519.4, and 13519.6 of, to amend and renumber Sections 422.95, 1170.75, and 13873 of, to add Sections 422.77, 422.78, 422.86, 422.89, 422.91, 422.93, 13519.64, and 13519.65 to, to add Chapter 1 (commencing with Section 422.55) to Title 11.6 of Part 1 of, to add a chapter heading to Chapter 2 immediately preceding Section 422.6 of Title 11.6 of Part 1 of, to add Chapter 3 (commencing with Section 422.88) to Title 11.6 of Part 1 of, to repeal Sections 422.76, 13870, and 13871 of, and to repeal and add Section 422.9 of, the Penal Code, relating to crimes.

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.

Senate Bill 1262—An act to amend Sections 17510.3, 17510.4, and 17510.5 of the Business and Professions Code, and to amend Sections

12581, 12582, 12584, 12585, 12586, 12599, and 12599.1 of, and to add Sections 12598.1, 12599.3, 12599.6, 12599.7, and 12599.8 to, the Government Code, relating to charitable organizations.

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.

Senate Bill 1302—An act to amend Sections 111105 and 111140 of the Health and Safety Code, relating to drinking water, 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.

Senate Bill 1305—An act to add Sections 68519 and 68556 to the Government Code, relating to elder abuse.

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.

Senate Bill 1319—An act to add Division 26.5 (commencing with Section 35500) to the Public Resources Code, relating to natural resources.

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.

Senate Bill 1331—An act to add Chapter 12.5 (commencing with Section 67100) to Part 40 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of, the Education Code, relating to postsecondary education accountability.

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.

Senate Bill 1343—An act to add Section 8206.9 to the Education Code, relating to child care and development programs.

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.

Senate Bill 1346—An act to add Sections 4114.3 and 4122 to the Public Resources Code, relating to natural resources.

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.

Senate Bill 1359—An act to add Section 14107.13 to the Welfare and Institutions Code, relating to Medi-Cal.

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.

Senate Bill 1374—An act to amend Section 1736 of, and to add Sections 1738, 1738.5, and 1739 to, 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.

Senate Bill 1380—An act to amend Section 60242 of, and to add Section 60200.1 to, the Education Code, relating to instruction, 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.

Senate Bill 1381—An act to add Sections 885.4, 885.5, and 885.6 to the Streets and Highways Code, relating to transportation.

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.

Senate Bill 1390—An act relating to tourism, 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.

Senate Bill 1415—An act to add Article 1.5 (commencing with Section 66725) to Chapter 9.2 of Part 40 of the Education Code, relating to postsecondary education.

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.

Senate Bill 1420—An act to add Section 14008 to the Education Code, relating to public school funding.

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.

Senate Bill 1438—An act to add Article 4 (commencing with Section 19250) to Chapter 3 of Division 19 of the Elections Code, relating to elections.

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.

Senate Bill 1443—An act to amend Sections 183 and 2101 of, and to amend the heading of Chapter 3 (commencing with Section 2100) of Division 3 of, the Streets and Highways Code, relating to transportation, 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.

Senate Bill 1459—An act to add Section 8841 to, and to repeal Sections 8495 and 8836.5 of, the Fish and Game Code, relating to fishing, 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.

Senate Bill 1477—An act to add Section 13275 to, and to add Chapter 18 (commencing with Section 14150) to Division 7 of, the Water Code, relating to water, 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.

Senate Bill 1480—An act to amend Sections 8670.17.2 and 8670.70 of the Government Code, relating to harbors and navigation.

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.

Senate Bill 1496—An act to amend Sections 1502 and 2117 of the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations.

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.

Senate Bill 1500—An act to amend Section 11629.85 of the Insurance Code, and to amend Section 4000.37 of, to amend, repeal, and add Section

4000.38 of, and to add Section 16058 to, 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.

Senate Bill 1525—An act to amend Section 104150 of the Health and Safety Code, and to amend Section 14132 of the Welfare and Institutions Code, relating to health care.

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.

Senate Bill 1541—An act to amend Sections 13352 and 23109 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.

Senate Bill 1582—An act to amend Section 12814.6 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.

Senate Bill 1585—An act to add Article 6.5 (commencing with Section 110806) to Chapter 5 of Part 5 of Division 104 of the Health and Safety Code, relating to food safety.

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.

Senate Bill 1590—An act to add Section 6254.18 to the Government Code, relating to public records.

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.

Senate Bill 1608—An act to amend Sections 2912 and 5028 of the Penal Code, relating to corrections.

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.

Senate Bill 1617—An act to amend Section 47612.1 of the Education Code, relating to charter schools.

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.

Senate Bill 1624—An act to amend Section 309.5 of the Public Utilities Code, relating to the Public Utilities Commission.

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.

Senate Bill 1634—An act to amend Section 17980.6 of, and to add Sections 17967.1 and 17993 to, the Health and Safety Code, and to amend Section 1808.4 of the Vehicle Code, relating to building standards.

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.

Senate Bill 1639—An act to amend Sections 79202 and 79203 of, and to add Sections 66019.3 and 69432.6 to, the Education Code, and to amend Sections 11320.1, 11322.6, 11325.2, 11325.22, 11325.4, 11454, and 16001.9 of, and to add Sections 11325.41, 11329.5, and 16001.95 to, the Welfare and Institutions Code, relating to CalWORKs

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.

Senate Bill 1642—An act to amend Sections 706.6 and 11404 of, and to add Section 1775 to, the Welfare and Institutions Code, relating to the Department of the Youth Authority.

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.

Senate Bill 1644—An act to add Section 102800.1 to the Health and Safety Code, and to amend Sections 15630 and 15631 of the Welfare and Institutions Code, relating to long-term health care.

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.

Senate Bill 1645—An act to amend Sections 54028, 54030, 54031, and 62000.2 of, to repeal and add Section 54026 of, and to repeal Sections 54022, 54023, 54024, 54025, 54027, and 54033 of, the Education Code,

relating to school finance, and declaring the urgency thereof, to take effect immediately.

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.

Senate Bill 1648—An act to amend Sections 4631, 4631.5, 4637, 4638, 4639, 4640, 4651, and 4653 of, to add Sections 4638.5 and 4639.5 to, to add Article 5 (commencing with Section 4665) to Chapter 9 of Part 2 of Division 4 of, and to repeal Section 4636 of, the Public Resources Code, relating to forest resources.

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.

Senate Bill 1660—An act to add Section 2933.7 to the Penal Code, relating to prisons, and declaring the urgency thereof, to take effect immediately.

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.

Senate Bill 1671—An act to add Section 14146 to the Welfare and Institutions Code, relating to health.

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.

Senate Bill 1754—An act to add Section 14682 to the Government Code, relating to state property.

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.

Senate Bill 1757—An act to amend Section 13332.09 of the Government Code, relating to state contracts.

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.

Senate Bill 1758—An act to add Section 11011.23 to the Government Code, relating to state property.

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.

Senate Bill 1774—An act to amend Section 29530 of, to add Chapter 6.3 (commencing with Section 30020) to Division 3 of Title 3 of, and to

repeal Section 30023 of, the Government Code, to amend Sections 7202 and 7203 of, to amend and repeal Section 7203.1 of, to amend, add, and repeal Section 97.68 of, to add Sections 6051.7, 6051.9, 6201.7, 6201.9, and 11007 to, to add and repeal Sections 97.69 and 97.70 of, the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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.

Senate Bill 1793—An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

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.

Senate Bill 1794—An act to amend Sections 1369, 1370, and 1370.01 of the Penal Code, relating to competency.

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.

Senate Bill 1795—An act to add Section 66204.1 to the Education Code, relating to career preparation.

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.

Senate Bill 1802—An act to add Section 37254 to the Education Code, relating to supplemental instruction.

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.

Senate Bill 1808—An act to amend and repeal Section 29550.4 of the Government Code, relating to booking fees, and declaring the urgency thereof, to take effect immediately.

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.

Senate Bill 1841—An act to add Section 436 to the Labor Code, relating to electronic monitoring of employees.

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.

Senate Bill 1845—An act to amend Sections 1575.5 and 100445 of, and to repeal and add Section 1575.9 of, the Health and Safety Code, and to amend Sections 14526, 14552, 14573, 14574, and 14574.1 of, and to add Sections 14552.1, 14552.2, and 14572.1 to, the Welfare and Institutions Code, relating to adult day health care.

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.

Senate Bill 1850—An act to add Section 14131.2 to the Welfare and Institutions Code, relating to Medi-Cal.

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.

Senate Bill 1893—An act to amend Sections 21625, 21626, 21626.5, 21627, 21628, 21628.5, 21630, 21631, 21640, 21641, 21642, and 21647 of, to add Sections 21628.2, 21628.3, 21632, 21636.7, and 21636.8 to, and to repeal and add Section 21628.1 of, the Business and Professions Code, and to amend Sections 21208, 21300, 21300.1, and 21301 of, and to add Sections 21301.2 and 21301.3 to, the Financial code, relating to personal property, 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.

Senate Bill 1897—An act to add Sections 8203.1, 8203.2, and 8203.6 to the Education Code, relating to child care.

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.

Senate Bill 1421—An act to add Section 51227 to the Education Code, relating to instruction.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1149—An act to add and repeal Sections 4001.2 and 4001.3 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1161—An act to add Chapter 12.5 (commencing with Section 20020) to Part 11 of the Education Code, relating to financing a public library construction and renovation program by providing the funds necessary therefor through an election for, and the issuance and sale of, bonds of the State of California, and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1192—An act to amend Section 1367.2 of the Health and Safety Code, and to amend Section 10123.6 of the Insurance Code, relating to health care coverage.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1221—An act to amend Section 46010.1 of the Education Code, relating to pupils.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1316—An act to amend Sections 52052, 52054, 56157, 56366, 56366.1, 56366.5, and 56366.9 of, and to add Sections 49085, 56155.7, and 56157.5 to, the Education Code, and to amend Section 1501.1 of the Health and Safety Code, relating to foster children.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1245—An act to add and repeal Article 8 (commencing with Section 89270) of Chapter 2 of Part 55 of the Education Code, relating to the California State University.

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.

Senate Bill 1322—An act to amend Sections 66025.6, 69433.4, 69750, 69750.3, 69750.5, 69750.7, and 69751 of, to add Section 69751.4 to, and to repeal and add Section 69751.3 of, the Education Code, and to

amend Section 981.8 of the Military and Veterans Code, relating to veterans.

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.

Senate Bill 1334—An act to add Section 21083.4 to the Public Resources Code, relating to environmental quality.

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.

Senate Bill 1764—An act to amend Section 120440 of the Health and Safety Code, relating to immunization.

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.

Senate Bill 1900—An act to add Section 76104.6 to the Government Code, to amend Section 1405 of, and to add Section 296.3 to, the Penal Code, relating to forensic DNA.

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.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 1662—An act to add Sections 1569.656 and 1569.657 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read third time.

Amendments Adopted

Amendments to SB 1662 proposed by Senator Soto were read and adopted and the measure ordered printed, engrossed, and to second reading.

Senate Bill 1275—An act to add Sections 1264, 1264.5, and 1264.6 to the Health and Safety Code, relating to health facilities.

Bill read third time.

Amendments Adopted

Amendments to SB 1275 proposed by Senator Ortiz were read and adopted and the measure ordered printed, engrossed, and to second reading.

SENATE COMMITTEE ROLL CALLS
Committee on Appropriations

SB 1087—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1129—Do pass as amended

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

SB 1138—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1140—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1144—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1145—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1147—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1149—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1151—Do pass

AYES (9)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Poochigian.

SB 1155—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Johnson.

SB 1161—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Johnson, Karnette, Machado, and Murray.

NOES (2)—Senators Aanestad and Ashburn.

SB 1168—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1178—Do pass as amended

AYES (11)—Senators Aanestad, Alpert, Ashburn, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, and Speier.

NOES (1)—Senator Battin.

SB 1180—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1192—Do pass as amended

AYES (8)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Ashburn, Battin, Johnson, and Poochigian.

SB 1212—Do pass as amended

AYES (10)—Senators Aanestad, Alpert, Ashburn, Bowen, Burton, Escutia, Johnson, Karnette, Machado, and Murray.

NOES (0)—None.

SB 1221—Do pass as amended

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

SB 1223—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1227—Do pass

AYES (10)—Senators Alpert, Ashburn, Battin, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (2)—Senators Aanestad and Bowen.

SB 1228—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1234—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1237—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1245—Do pass as amended

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1254—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1262—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1272—Do pass as amended

AYES (4)—Senators Alpert, Escutia, Machado, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

Failed passage

SB 1272—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1279—Do pass

AYES (8)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (1)—Senator Battin.

SB 1280—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1287—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1302—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1305—Do pass as amended

AYES (11)—Senators Aanestad, Alpert, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (1)—Senator Ashburn.

SB 1309—Do pass

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1316—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1318—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1319—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

SB 1322—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1331—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1333—Do pass

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1334—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1342—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (1)—Senator Ashburn.

SB 1343—Do pass as amended

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Poochigian.

SB 1346—Do pass as amended

AYES (7)—Senators Alpert, Battin, Burton, Escutia, Karnette, Machado, and Murray.

NOES (2)—Senators Aanestad and Ashburn.

SB 1348—Do pass

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1351—Do pass

AYES (9)—Senators Aanestad, Alpert, Battin, Burton, Escutia, Machado, Murray, Poochigian, and Speier.

NOES (1)—Senator Ashburn.

SB 1354—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1359—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1361—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1365—Do pass

AYES (9)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Johnson.

SB 1374—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

SB 1375—Do pass

AYES (10)—Senators Aanestad, Alpert, Battin, Bowen, Burton, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1380—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1381—Do pass as amended

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1390—Do pass as amended

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1399—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1400—Do pass

AYES (8)—Senators Aanestad, Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1415—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1419—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1420—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1421—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1423—Do pass as amended

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Johnson, Karnette, and Poochigian.

NOES (1)—Senator Bowen.

SB 1438—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Bowen, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

SB 1439—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

SB 1442—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1443—Do pass as amended

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1446—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1448—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

SB 1453—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1459—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1462—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Battin, Johnson, and Poochigian.

SB 1463—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1477—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1478—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Poochigian.

SB 1480—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1487—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1492—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Johnson, and Poochigian.

SB 1496—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1497—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

SB 1500—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1510—Do pass as amended

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (0)—None.

SB 1522—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1525—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Poochigian.

SB 1531—Do pass

AYES (7)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Murray, and Poochigian.

NOES (1)—Senator Karnette.

SB 1533—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

SB 1536—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

SB 1541—Do pass as amended

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

SB 1566—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1578—Do pass

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1582—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Escutia, Johnson, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1585—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Poochigian.

SB 1590—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1591—Do pass

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1597—Do pass as amended

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1606—Do pass as amended

AYES (3)—Senators Bowen, Burton, and Escutia.

NOES (5)—Senators Aanestad, Ashburn, Battin, Murray, and Poochigian.

Failed passage

SB 1606—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1608—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1617—Do pass as amended

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1618—Do pass as amended

AYES (7)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1624—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1630—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (2)—Senators Ashburn and Battin.

SB 1632—Do pass

AYES (5)—Senators Bowen, Burton, Escutia, Karnette, and Murray.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

Failed passage

SB 1632—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1634—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1639—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1640—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Poochigian.

SB 1642—Do pass as amended

AYES (8)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (0)—None.

SB 1644—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1645—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1648—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1657—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1660—Do pass as amended

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

SB 1671—Do pass as amended

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1676—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1689—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

SB 1694—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1713—Do pass

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1735—Do pass

AYES (9)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (1)—Senator Ashburn.

SB 1737—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1754—Do pass as amended

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1757—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1758—Do pass as amended

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Johnson, Karnette, and Poochigian.

NOES (0)—None.

SB 1760—Do pass

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1764—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1774—Do pass as amended

AYES (7)—Senators Aanestad, Alpert, Ashburn, Escutia, Johnson, Murray, and Poochigian.

NOES (1)—Senator Bowen.

SB 1785—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1793—Do pass as amended

AYES (7)—Senators Ashburn, Battin, Bowen, Burton, Escutia, Johnson, and Murray.

NOES (1)—Senator Aanestad.

SB 1794—Do pass as amended

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1795—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1802—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Battin, Bowen, Burton, Escutia, Johnson, Karnette, and Murray.

NOES (0)—None.

SB 1808—Do pass as amended

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

SB 1841—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1845—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Poochigian.

SB 1850—Do pass as amended

AYES (10)—Senators Alpert, Ashburn, Battin, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1851—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1860—Do pass as amended

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1875—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

SB 1887—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (2)—Senators Aanestad and Ashburn.

SB 1892—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1893—Do pass as amended

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1897—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

SB 1899—Do pass

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SB 1900—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Poochigian.

SB 1903—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

SB 1910—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

SCA 8—Do pass

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Poochigian.

AB 1510—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

Date of Hearing: 5/20/04

Alpert (Chair)

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1419—An act to amend Section 5201 of, and to add Sections 52052.1 and 52052.6 to, the Education Code, relating to school accountability.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1423—An act to amend, repeal and add Section 47609 to the Education Code, relating to charter schools.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1462—An act to amend Sections 65352, 65404, 65940, and 65944 of the Government Code, relating to land use.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1630—An act to amend Sections 35179.1 of, and to add Article 6.5 (commencing with Section 4930) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1860—An act to add Chapter 1.5 (commencing with Section 16050) to Part 4 of Division 9 of the Welfare and Institution Code, relating to foster care.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Burton requested that when the Senate adjourns this day it do so in memory of Donna Brennand of Folsom.

Senators Ducheny and Hollingsworth requested that when the Senate adjourns this day it do so in memory of Craig Castaneda of Poway.

Senator Johnson requested that when the Senate adjourns this day it do so in memory of Dr. Arnold O. Beckman of Corona del Mar.

Senator Oller requested that when the Senate adjourns this day it do so in memory of Brian A. Carlon and Patricia J. Carlon of Rancho Cordova.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9:30 a.m., Tuesday, May 25, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 25, 2004

The Senate met at 9:30 a.m.
Hon. Dede Alpert, of the 39th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Let it be glorious enough for us that we should be Your servants; and let it be grace enough for us that You should be our Lord.—AMEN.

(Arabic Prayer—adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Kuehl led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 24, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 193

ACR 230

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 193—Relative to higher education.

Assembly Concurrent Resolution 230—Relative to Memorial Day.

REPORTS OF STANDING COMMITTEES**Committee on Energy, Utilities and Communications**

Senate Chamber, May 25, 2004

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 84

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 84—An act to amend Section 421 of the Public Utilities Code, relating to public utilities.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Date of Hearing, May 20, 2004

Madam President: The Committee on Appropriations, to which was referred:

SB 1129

Reports the same back with the recommendation: Do pass as amended.
ALPERT, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Senate Chamber, May 25, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 750

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 750—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Transportation

Senate Chamber, May 25, 2004

Madam President: The Chair of the Committee on Transportation, to which were referred:

AB 901

ACR 151

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 901—An act to amend Sections 13159, 114815, 115070, and 115093 of, and to add Sections 114821, 114822, 114823, 115071, 115072, and 115156 to, the Health and Safety Code, relating to radioactive waste.

Bill read second time.

Assembly Concurrent Resolution 151—Relative to George M. Clark Memorial Bicycle Bridge.

Resolution read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill 1662—An act to add Sections 1569.656 and 1569.657 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 1275—An act to add Sections 1264, 1264.5, and 1264.6 to the Health and Safety Code, relating to health facilities.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1129—An act to add and repeal Section 17463.5 of the Education Code, relating to school finance, to take effect immediately, as an urgency statute.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Johnson:

Senate Chamber, May 25, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 28.1 as it pertains to the conference committee on AB 1749.

SENATOR JOHNSON

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rule 28.1 be dispensed with as requested.

Resolution read and presented by Senator Johnson.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (27)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Oller, Ortiz, Perata, Pochigian, Scott, Soto, and Torlakson.

NOES (0)—None.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 77**, **ACR 140**, **ACR 203**, **ACR 211**, **ACR 219**, and **ACR 223** were withdrawn from Committee and placed on the Special Consent Calendar to be taken up May 26.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS**

Senate Bill 1401—An act to add and repeal Section 20239 of the Government Code, relating to public employees’ retirement.

Bill read third time and presented by Senator Perata.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1508—An act to add Chapter 7.6 (commencing with Section 1922) to Title 4 of Part 4 of Division 3 of the Civil Code, relating to real property loans.

Bill read third time and presented by Senator Ducheny.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ducheny moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1849—An act to amend Sections 84605 and 86117 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1254—An act to amend Sections 51871, 51872, 51873, and 51874 of the Education Code, relating to education technology.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Karnette, Kuehl, Machado, Margett,

McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, and Torlakson.

NOES (1)—Senator Ashburn.

Bill ordered transmitted to the Assembly.

Senate Bill 1280—An act to add Section 12670.10 to the Water Code, relating to water.

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 (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1333—An act to add Section 120956 to the Health and Safety Code, and to add Section 14105.75 to the Welfare and Institutions Code, relating to prescription drugs.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Margett, McClintock, Murray, Oller, Ortiz, Perata, Romero, Scott, Soto, Speier, and Torlakson.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Johnson, McPherson, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1783—An act to amend Section 14094.3 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (5)—Senators Ackerman, Ashburn, Brulte, Johnson, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1227—An act to add Sections 19531.1 and 19614.6 to the Business and Professions Code, relating to horse racing.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Machado, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Soto, Speier, Torlakson, and Vincent.

NOES (4)—Senators Aanestad, Hollingsworth, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1446—An act to add Section 104324.27 to the Health and Safety Code, relating to environmental health.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1640—An act to add Article 3.2 (commencing with Section 3072) to Chapter 8 of Title 1 of Part 3 of the Penal Code, relating to parole.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 15.5 to Article 1 thereof, relating to prisoners.

Resolution read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (7)—Senators Ackerman, Ashburn, Battin, Denham, Hollingsworth, McClintock, and Poochigian.

Resolution ordered transmitted to the Assembly.

Senate Bill 1292—An act to add and repeal Section 14411 of the Financial Code, relating to credit unions.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (5)—Senators Ackerman, Ashburn, Battin, Denham, and Hollingsworth.

Bill ordered transmitted to the Assembly.

Senate Bill 1318—An act to add Sections 79574 and 79574.5 to the Water Code, relating to natural resources.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1319—An act to add Division 26.5 (commencing with Section 35500) to the Public Resources Code, relating to natural resources.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 25, 2004

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 782 to the Senate.

E. DOTSON WILSON
Chief Clerk

Above bill ordered held at Desk.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION (AB 782)

Senator Burton asked for, and was granted, unanimous consent that the action be rescinded whereby AB 782 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 782

Assembly Bill 782—An act to repeal and add Section 2024.5 of, and to add Section 2024.6 to, the Family Code, relating to court records, and declaring the urgency thereof, to take effect immediately.

Bill read.

Motion to Amend

Amendments to AB 782 proposed by Senator Burton were read and adopted.

Motion to Suspend Senate Rule 29.3

Senator Burton moved to suspend Senate Rule 29.3 to permit consideration of AB 782 at this time, as amended, in print, and properly before the Senate.

Motion carried.

Consideration of Assembly Bill 782 as Amended

Bill presented by Senator Burton.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill 1405—An act to add Section 60401 to the Education Code, relating to instructional materials, and making an appropriation therefor.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1178—An act to add Sections 16002.5 and 16004.5 to the Welfare and Institutions Code, relating to dependent children.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Brulte.

Bill ordered transmitted to the Assembly.

Senate Bill 1223—An act to add Section 1170.195 to the Penal Code, relating to juvenile crime.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1234—An act to amend Section 52.1 of the Civil Code, to amend Sections 200 and 220 of the Education Code, to amend Section 12926 of the Government Code, and to amend Sections 190.03, 422.6, 422.7, 422.75, 594.3, 11410, 11413, 13023, 13515.25, and 13519.4 of, to amend and renumber Sections 422.95, 1170.75, and 13873 of, to add Sections 422.77, 422.78, 422.86, 422.89, 422.91, 422.93, 13519.64, and 13519.65 to, to add Chapter 1 (commencing with Section 422.55) to Title 11.6 of Part 1 of, to add a chapter heading to Chapter 2 immediately preceding Section 422.6 of Title 11.6 of Part 1 of, to add Chapter 3 (commencing with Section 422.88) to Title 11.6 of Part 1 of, to repeal Sections 422.76, 13870, and 13871 of, and to repeal and add Section 422.9 of, the Penal Code, relating to crimes.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1262—An act to amend Sections 17510.3, 17510.4, and 17510.5 of the Business and Professions Code, and to amend Sections 12581, 12582, 12584, 12585, 12586, 12599, and 12599.1 of, and to add Sections 12598.1, 12599.3, 12599.6, 12599.7, and 12599.8 to, the Government Code, relating to charitable organizations.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1302—An act to amend Sections 111105 and 111140 of the Health and Safety Code, relating to drinking water

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 SENATE BILLS (RESUMED)

Senate Bill 1374—An act to amend Section 1736 of, and to add Sections 1738, 1738.5, and 1739 to, the Water Code, relating to water.

Bill read third time and presented by Senator Machado.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1381—An act to amend Section 887.4 of, and to add Sections 885.4, 885.5, and 885.6 to, the Streets and Highways Code, relating to transportation.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1477—An act to add Section 13275 to, and to add Chapter 18 (commencing with Section 14150) to Division 7 of, the Water Code, relating to water, and making an appropriation therefor.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1744—An act to amend Sections 1305, 1306, and 1308 of, to add Section 1309 to, and to repeal Section 1305.4 of, the Penal Code, relating to bail services.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1480—An act to amend Section 8670.17.2 of the Government Code, relating to harbors and navigation.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1496—An act to amend Sections 1502 and 2117 of the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1500—An act to amend Section 11629.85 of the Insurance Code, and to amend Section 4000.37 of, to amend, repeal, and add Section 4000.38 of, and to add Section 16058 to, the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read third time and presented by Senator Speier.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Speier moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1145—An act to amend Sections 1946.1, 1950.5, 1954.52, and 1954.53 of, and to amend and repeal Section 827 of, the Civil Code, to amend Section 1161.2 of the Code of Civil Procedure, and to amend Section 7060.4 of, and to amend and repeal Section 12955 of, the Government Code, relating to tenancy.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1892—An act to amend Section 19130 of, and to repeal and add Sections 19131 and 19132 of, the Government Code, and to repeal

and add Section 10337 of the Public Contract Code, relating to public contracts.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Romero, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1525—An act to amend Section 104150 of the Health and Safety Code, and to amend Sections 11024.3, 14105.18, 14132, 24001, 24003.2, 24003.5, and 24027 of the Welfare and Institutions Code, relating to health care.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (6)—Senators Ackerman, Ashburn, Battin, Denham, Hollingsworth, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1582—An act to add Section 12814.8 to the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1585—An act to add Article 6.5 (commencing with Section 110806) to Chapter 5 of Part 5 of Division 104 of the Health and Safety Code, relating to food safety.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1608—An act to amend Sections 2912 and 5028 of the Penal Code, relating to corrections.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1617—An act to amend Section 47612.1 of the Education Code, relating to charter schools.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators McClintock and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1212—An act to amend Sections 16265.2 and 29100.6 of the Government Code, to amend Section 10754 of, to amend and repeal Section 11000 of, and to add Article 3.5 (commencing with Section 97.7)

to Part 0.5 of Division 1 of, the Revenue and Taxation Code, relating to local government finance, and making an appropriation therefor.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1624—An act to amend Section 309.5 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1634—An act to amend Section 17980.6 of, and to add Sections 17967.1 and 17993 to, the Health and Safety code, relating to building standards.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1639—An act to amend Sections 79202 and 79203 of, and to add Sections 66019.3 and 69432.6 to, the Education Code, and to amend Sections 11322.6, 11325.2, 11325.22, 11325.23, 11325.4, and 16001.9 of,

and to add Sections 11325.41, 11329.5, and 16001.95 to, the Welfare and Institutions Code, relating to CalWORKs.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1644—An act to add Section 102336 to the Health and Safety Code, and to add Section 11174.85 to the Penal Code, relating to elder death.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1648—An act to amend Sections 4631, 4631.5, 4637, 4638, 4639, 4640, 4651, and 4653 of, to add Sections 4638.5 and 4639.5 to, to add Article 5 (commencing with Section 4665) to Chapter 9 of Part 2 of Division 4 of, and to repeal Section 4636 of, the Public Resources Code, relating to forest resources.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1754—An act to add Section 14682 to the Government Code, relating to state property.

Bill read third time and presented by Senator Battin.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Perata, Poochigian, Romero, Sher, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Ortiz.

Bill ordered transmitted to the Assembly.

Senate Bill 1758—An act to add Section 11011.23 to the Government Code, relating to state property.

Bill read third time and presented by Senator Battin.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Murray, Oller, Poochigian, Romero, Scott, Sher, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Ortiz.

Bill ordered transmitted to the Assembly.

Senate Bill 1774—An act to amend Section 29530 of, to add Chapter 6.3 (commencing with Section 30020) to Division 3 of Title 3 of, and to repeal Section 30023 of, the Government Code, to amend Sections 7202 and 7203 of, to amend and repeal Section 7203.1 of, to amend, repeal, and add Section 97.68 of, to add Sections 6051.7, 6051.9, 6201.7, 6201.9, and 11007 to, to add and repeal Section 97.69 of, the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Johnson.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Brulte, Burton, Cedillo, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Poochigian, Romero, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Brulte, Burton, Cedillo, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Poochigian, Romero, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Soto.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

Senate Bill 1795—An act to add Section 66204.1 to the Education Code, relating to career preparation.

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 SENATE BILLS (RESUMED)

Senate Bill 1180—An act to add and repeal Article 10.9.1 (commencing with Section 25219.3) of Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

Bill read third time and presented by Senator Figueroa.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Figueroa moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1459—An act to amend Section 13220 of, to add Section 8841 to, and to repeal Sections 8495 and 8836.5 of, the Fish and Game Code, relating to fishing, and making an appropriation therefor.

Bill read third time and presented by Senator Alpert.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Alpert moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1571—An act to amend Section 25110 of the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Alpert.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Alpert moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1305—An act to add Sections 68519 and 68556 to the Government Code, relating to elder abuse.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Pochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (6)—Senators Ackerman, Ashburn, Denham, Hollingsworth, Margett, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1331—An act to amend Sections 66010.7, 66903, and 67380 of, to add Chapter 12.5 (commencing with Section 67100) to Part 40 of, to repeal Sections 69563 and 99155 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of, the Education Code, relating to postsecondary education accountability.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (7)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Margett, and McClintock.

Bill ordered transmitted to the Assembly.

Senator Burton Presiding

Senate Bill 1380—An act to amend Sections 60227 and 60242 of, and to add Section 60200.1 to, the Education Code, relating to instruction, and making an appropriation therefor.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (9)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, and Pochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1420—An act relating to public schools.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (6)—Senators Ackerman, Battin, Denham, Hollingsworth, Margett, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1438—An act to add Article 4 (commencing with Section 19250) to Chapter 3 of Division 19 of the Elections Code, relating to elections.

Bill read third time and presented by Senator Johnson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Denham, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Perata, Pochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1645—An act to add Section 62002.3 to the Education Code, relating to the Economic Impact Aid Program.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado,

Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1841—An act to add Section 436 to the Labor Code, relating to electronic monitoring of employees.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1421—An act to add Section 51227 to the Education Code, relating to instruction.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Perata, Romero, Scott, Sher, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1845—An act to amend Sections 14526, 14552, 14573, and 14574.1 of, and to add Section 14552.2 to, the Welfare and Institutions Code, relating to adult day health care.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado,

Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1346—An act to add Sections 4114.3 and 4122 to the Public Resources Code, relating to natural resources.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, McPherson, Murray, Romero, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Aanestad, Ackerman, Ashburn, Margett, McClintock, Oller, Poochigian, and Sher.

Bill ordered transmitted to the Assembly.

Senate Bill 1642—An act to amend Sections 706.6 and 11404 of, and to add Section 1775 to, the Welfare and Institutions Code, relating to the Department of the Youth Authority.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (5)—Senators Ackerman, Ashburn, Brulte, Hollingsworth, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1343—An act to add Section 8206.9 to the Education Code, relating to child care and development programs.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1808—An act to amend and repeal Section 29550.4 of the Government Code, relating to booking fees, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Torlakson.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1161—An act relating to public libraries.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (6)—Senators Aanestad, Ackerman, Ashburn, Brulte, Hollingsworth, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1192—An act to amend Section 1367.2 of the Health and Safety Code, and to amend Section 10123.6 of the Insurance Code, relating to health care coverage.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray,

Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Florez, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1419—An act to amend Section 52051 of, and to add Sections 52052.1 and 52052.6 to, the Education Code, relating to school accountability.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1423—An act to add Section 47609 to the Education Code, relating to charter schools.

Bill read third time and presented by Senator Brulte.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1462—An act to amend Sections 65352, 65404, 65940, and 65944 of the Government Code, relating to land use.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado,

Margett, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Aanestad, Ackerman, Battin, Brulte, Denham, Florez, Hollingsworth, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1630—An act to amend Section 35179.1 of, and to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Ackerman, Ashburn, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1149—An act to add Section 4001.4 to, and to add and repeal Sections 4001.2 and 4001.3 of, the Business and Professions Code, relating to pharmacy.

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 (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1334—An act to add Section 1373 to the Fish and Game Code, and to add Section 21083.4 to the Public Resources Code, relating to oak woodlands conservation.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray,

Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Florez, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1555—An act to add Section 10123.865 to the Insurance Code, relating to health care benefits.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1155—An act to add Section 138.10 to the Water Code, relating to water.

Bill read third time and presented by Senator Machado.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alpert, Bowen, Burton, Chesbro, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT (SB 1782)

Senator Aanestad asked for, and was granted, unanimous consent to take up SB 1782 at this time.

Consideration of Senate Bill 1782

Senate Bill 1782—An act to add Section 11152.5 to the Health and Safety Code, and to add Section 1538.1 to the Penal Code, relating to medical crime.

Bill read third time and presented by Senator Aanestad.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Romero, Sher, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (1)—Senator Speier.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS**Consideration of Assembly Amendments**

Senate Bill 23—An act to add Items 0690-490 and 0690-491 to Section 2.00 of the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Sher.

The question being: Shall the Senate concur in the Assembly amendments to SB 23?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1401)**

On motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1401 was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Torlakson, and Vincent.

NOES (9)—Senators Aanestad, Ackerman, Brulte, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1508)**

On motion of Senator Ducheny, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1508 was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1302)**

On motion of Senator Alarcón, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1302 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1500)**

On motion of Senator Speier, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1500 was refused passage by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Motion to Reconsider

Senator Speier moved to reconsider the vote whereby SB 1500 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered returned to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1795)**

On motion of Senator Alarcón, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1795 was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Florez, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1180)**

On motion of Senator Figueroa, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1180 was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray,

Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1459)**

On motion of Senator Alpert, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1459 was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1571)**

On motion of Senator Alpert, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1571 was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

REQUEST TO BE ADDED TO ROLL CALL

May 25, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1849—Aye	SB 1254—Aye	SB 1333—Aye
SB 1783—Aye	SB 1227—Aye	SB 1446—Aye
SB 1640—Aye	SB 1178—Aye	SB 1405—Aye

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SB 1234—Aye
SB 1585—Aye

SB 1262—Aye
SB 1774—Aye

SB 1374—Aye
SB 1331—Aye

JOHN L BURTON, President pro Tempore

May 25, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1292—No
SB 1305—No
SB 1420—No

SB 1374—No
SB 1331—No

SB 1634—No
SB 1380—No

DICK ACKERMAN, Minority Floor Leader

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 1:24 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Wednesday, May 26, 2004.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
May 25, 2004

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Michael F. Prizmich, sheriff-coroner, Amador County. Appointed 5/7/04.
Effective 5/13/04:

Member, Board of Corrections vice Curtis J. Hill, term expired,
term ending 1/1/07.

Calvin Curtis Remington, director/chief probation officer, Ventura County
Probation Agency. Appointed 5/7/04. Effective 5/20/04:

Member, Board of Corrections vice Stephanie Lewis, withdrawn
from the Senate, term ending 1/1/07.

Michael Thomas Navarro, former chief, Labor Relations Division, Department of Personnel Administration. Appointed 5/5/04. Effective 5/7/04:

Director, Department of Personnel Administration vice Martin W. Morgenstern, resigned, term ending at the pleasure of the Governor.

Rosalie Mulé, former director of municipal development for Waste Management of the Inland Empire. Appointed 4/22/04. Effective 5/17/04:

Member, California Integrated Waste Management Board vice Steven R. Jones, term expired, term ending 1/1/08.

Above appointments referred to the Committee on Rules.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1468** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Housing and Community Development

Senate Chamber, May 25, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 672

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 672—An act to amend Section 51504 of the Health and Safety Code, relating to affordable housing.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Public Safety

Senate Chamber, May 25, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 2895

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2895—An act to amend Section 836 of the Penal Code, relating to domestic violence.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Date of Hearing, May 20, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1510

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Date of Hearing, May 17, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SB 1692

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, May 25, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 402

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 402—An act to amend Section 290.4 of the Penal Code, relating to crime.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 402 pursuant to Joint Rule 58.

ASSEMBLY MEMBER SHIRLEY HORTON

Permission of Rules Committee

Senate Chamber, May 25, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 402.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Judiciary

Senate Chamber, May 25, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 1848

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 1848—An act to amend Section 18100.5 of, and to add Sections 18105, 18106, 18107, and 18108 to, the Probate Code, relating to trusts.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Insurance

Senate Chamber, May 25, 2004

Mr. President: The Chair of the Committee on Insurance, to which was referred:

AB 1431

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1431—An act to amend Section 1345 of the Health and Safety Code, and to amend Section 1759 of the Insurance Code, relating to insurance.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill 1510—An act to amend Sections 52904, 54686.2, 58562, and 99242 of, to amend and repeal Sections 37252.8, 37253, 42239.1, 42239.15, 42241.2, 42243.7, 48431.6, 48431.7, and 48644.5 of, to amend, repeal, and add Sections 42238, 42238.5, and 42239 of, to add Sections

411, 18185, 32228.6, 32296.10, 42289.6, 44279.8, 44309, 44387, 44399.5, 44509, 44579.6, 47774, 48642, 52002, 52335.11, 52891, 53032, 53095, 54206, 54669, 54698, 54735, 54763, and 58737 to, to add Chapter 3.2 (commencing with Section 41500) to Part 24 of, and to repeal and add Section 42240 of, the Education Code, relating to education finance.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1692—An act to amend Section 49455 of the Education Code, relating to pupils.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on May 26:

SB 1359	SB 1794	SB 1660	SB 1322
SB 1443	SB 1802	SB 1757	SB 1764
SB 1541	SB 1850	SB 1860	SCR 79
SB 1671	SB 1415	SB 1245	

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1822—An act to add Title 1.81.15 (commencing with Section 1798.88) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read third time.

Amendments Adopted

Amendments to SB 1822 proposed by Senator Figueroa were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1166—An act to add Section 4217 to the Government Code, relating to public works.

Bill read third time.

Amendments Adopted

Amendments to SB 1166 proposed by Senator Chesbro were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1488—An act to amend Section 583 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read third time.

Amendments Adopted

Amendments to SB 1488 proposed by Senator Bowen were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1781—An act relating to pyrotechnic operators.
Bill read third time.

Amendments Adopted

Amendments to SB 1781 proposed by Senator Brulte were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1511—An act to add Section 352 to the Labor Code, relating to employment.
Bill read third time.

Amendments Adopted

Amendments to SB 1511 proposed by Senator Alpert were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1563—An act to add Section 4168 to the Business and Professions Code, relating to drug wholesalers and manufacturers.
Bill read third time.

Amendments Adopted

Amendments to SB 1563 proposed by Senator Escutia were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1492—An act to add Chapter 6.5 (commencing with Section 1112) to Part 3 of Division 2 of the Labor Code, relating to employment.
Bill read third time.

Amendments Adopted

Amendments to SB 1492 proposed by Senator Dunn were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1676—An act to amend Section 6129 of the Penal Code, relating to crime.
Bill read third time.

Amendments Adopted

Amendments to SB 1676 proposed by Senator Romero were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1500—An act to amend Section 11629.85 of the Insurance Code, and to amend Section 4000.37 of, to amend, repeal, and add Section 4000.38 of, and to add Section 16058 to, the Vehicle Code, relating to vehicles, and making an appropriation therefor.
Bill read third time.

Amendments Adopted

Amendments to SB 1500 proposed by Senator Speier were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 1793—An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read third time.

Amendments Adopted

Amendments to SB 1793 proposed by Senator McPherson were read and adopted and the measure ordered printed, engrossed, and to third reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Christine Rainwater of Los Angeles.

Senator McPherson requested that when the Senate adjourns this day it do so in memory of William Osterberg of State Parks Department, Santa Cruz.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Burnett M. Battiste.

Senator Scott requested that when the Senate adjourns this day it do so in memory of Kenneth James Pica of Temple City.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Dr. Maeva Neale of Pescadero.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9:30 a.m., Wednesday, May 26, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED ELEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, May 26, 2004

The Senate met at 9:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent—38.

Quorum present.

(NOTE: Senator Sher will be excused this day due to a family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

O God, Let our tongues be refreshed with the remembrance of You, our souls obedient to Your commands, and our hearts filled with the knowledge of You. May our spirits be sanctified with the vision of You and our secret selves graced by Your nearness.—AMEN.

(Adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Denham led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 25, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 37

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, May 25, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

ACR 217

Assembly Chamber, May 25, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 167

ACR 195

ACR 226

Assembly Chamber, May 25, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1794	AB 1963	AB 2435	AB 1810
AB 1821	AB 2024	AB 2446	AB 1860
AB 1825	AB 2038	AB 2457	AB 1875
AB 1841	AB 2043	AB 2462	AB 1876
AB 1852	AB 2056	AB 2529	AB 1886
AB 1873	AB 2128	AB 2572	AB 1906
AB 1874	AB 2136	AB 2604	AB 1975
AB 1895	AB 2138	AB 2950	AB 2041
AB 1944	AB 2145	AB 3039	AB 2055

AB 2148	AB 2520	AB 2151	AB 2210
AB 2159	AB 2536	AB 2173	AB 2261
AB 2179	AB 2554	AB 2176	AB 2281
AB 2201	AB 2647	AB 2205	AB 2350
AB 2232	AB 2672	AB 2206	AB 2447
AB 2275	AB 2673	AB 2207	AB 2473
AB 2277	AB 2724	AB 2209	AB 2480
AB 2283	AB 2725	AB 2222	AB 2791
AB 2285	AB 2763	AB 2685	AB 3015
AB 2343	AB 2787	AB 2686	AB 2722
AB 2366	AB 2838	AB 2709	AB 2727
AB 2389	AB 2858	AB 2710	AB 2738
AB 2395	AB 3051	AB 2880	AB 2744
AB 2498	AB 1914	AB 1961	AB 2777
AB 2507	AB 2146	AB 2031	AB 2813

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Concurrent Resolution 167—Relative to condemning hateful acts and beliefs.

Assembly Concurrent Resolution 195—Relative to braille instruction.

Assembly Concurrent Resolution 226—Relative to Older Americans Month.

Assembly Bill 1794—An act to amend Section 104339.6 of the Health and Safety Code, relating to spinal cord injury, and making an appropriation therefor.

Assembly Bill 1821—An act to add and repeal Article 5 (commencing with Section 128550) of Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to nursing education.

Assembly Bill 1825—An act to add Section 12950.1 to the Government Code, relating to employment practices.

Assembly Bill 1841—An act to add Sections 52055.56 and 52055.658 to the Education Code, relating to high schools.

Assembly Bill 1852—An act to amend Sections 22851 and 24221 of the Education Code, relating to state teachers' retirement.

Assembly Bill 1873—An act to amend Sections 42023.1, 42023.2, 42023.3, 42023.4, 42023.5, and 42023.6 of the Public Resources Code, relating to solid waste, and making an appropriation therefor.

Assembly Bill 1874—An act to add Section 14666.9 to the Government Code, and to amend Section 671.5 of, and to add Section 679.1 to, the Streets and Highways Code, relating to telecommunications.

Assembly Bill 1895—An act to amend Sections 317, 366.26, and 634 of the Welfare and Institutions Code, relating to immigrant children.

Assembly Bill 1944—An act to amend Section 48205 of the Education Code, relating to pupils.

Assembly Bill 1963—An act to amend Sections 1179.1, 104105, 104120, 104317, 104318, 104564, 105285, 120800, and 123515 of, and to add Sections 152.1 and 104250 to, the Health and Safety Code, relating to public health.

Assembly Bill 2024—An act to add Chapter 4.8 (commencing with Section 2195) to Division 3 of the Streets and Highways Code, relating to transportation.

Assembly Bill 2038—An act to add Chapter 4 (commencing with Section 536) to Title 7 of Part 2 of the Code of Civil Procedure, and to amend Sections 853.6, 853.7, and 853.8 of the Penal Code, relating to bench warrants.

Assembly Bill 2043—An act to add Section 1760 to the Harbors and Navigation Code, relating to ports.

Assembly Bill 2056—An act to amend Sections 1680 and 1701.1 of, and to add Section 1670.2 to, the Business and Professions Code, relating to dentistry.

Assembly Bill 2128—An act to amend Section 44091.1 of, and to add Section 44125 to, the Health and Safety Code, relating to air pollution.

Assembly Bill 2136—An act to amend Section 11880 of, and to add Section 11880.5 to, the Health and Safety Code, relating to controlled substances.

Assembly Bill 2138—An act to amend Section 1262 of the Business and Professions Code, and to repeal and add Section 114885 of the Health and Safety Code, relating to health care providers.

Assembly Bill 2145—An act to add Section 12304.4 to the Welfare and Institutions Code, relating to in-home supportive services.

Assembly Bill 2435—An act to add Section 51220.6 to the Education Code, relating to instruction.

Assembly Bill 2446—An act to amend Sections 17077.40 and 17077.42 of the Education Code, relating to school facilities.

Assembly Bill 2457—An act to amend Section 94999 of the Education Code, relating to private postsecondary education, and making an appropriation therefor.

Assembly Bill 2462—An act to amend Section 42238.15 to the Education Code, relating to school transportation.

Assembly Bill 2529—An act to amend Section 30906 of, and to add Chapter 3.5 (commencing with Section 30920) to Division 20.4 of, the Public Resources Code, relating to water.

Assembly Bill 2572—An act to amend Sections 111 and 521 of, to amend the heading of Article 3 (commencing with Section 520) of Chapter 8 of Division 1 of, and to add Section 523.5 to, the Water Code, relating to water.

Assembly Bill 2604—An act to add Section 450.5 to the Labor Code, relating to employees.

Assembly Bill 2950—An act to amend Section 17078.27 of the Education Code, relating to school facilities.

Assembly Bill 3039—An act to repeal Division 20.5 (commencing with Section 30950) of the Public Resources Code, relating to coastal and ocean resources.

Assembly Bill 1810—An act to add Division 21 (commencing with Section 51000) to the Financial Code, relating to automated teller machines.

Assembly Bill 1860—An act to amend Sections 47601 and 47605 of the Education Code, relating to charter schools.

Assembly Bill 1875—An act to amend Sections 3526, 3531, 3533, 3534, and 3538 of the Government Code, relating to state employees.

Assembly Bill 1876—An act to amend Sections 115875 and 115880 of the Health and Safety Code, relating to public beaches.

Assembly Bill 1886—An act to amend Sections 20583, 20585, and 20602 of the Revenue and Taxation Code, relating to taxation.

Assembly Bill 1906—An act to amend Section 25299.43 of the Health and Safety Code, relating to hazardous materials.

Assembly Bill 1975—An act to amend Section 2232 of the Business and Professions Code, relating to medicine.

Assembly Bill 2041—An act to add Part 2.5 (commencing with Section 1750) to Division 6 of the Harbors and Navigation Code, relating to harbors and ports.

Assembly Bill 2055—An act to amend Sections 65302, 65560, 65561, 65562, 65564, 65566, and 65567 of, and to add Section 65565 to, the Government Code, relating to land use.

Assembly Bill 2148—An act to amend Sections 2030, 2031, 6340, 6341, and 6344 of the Family Code, relating to family law.

Assembly Bill 2159—An act to amend Sections 44308, 44310, 45017, 45030, 45031, 45032, 45033, and 45041 of, and to add Sections 44310.5, 45006, and 45022.5 to, the Public Resources Code, relating to solid waste.

Assembly Bill 2179—An act to amend Sections 14043.1 and 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 2201—An act to add Section 3322 to the Civil Code, to amend Section 7236 of the Revenue and Taxation Code, and to amend Sections 22507.5, 23114, and 34501.12 of the Vehicle Code, relating to vehicles.

Assembly Bill 2232—An act to amend Section 22717 of the Education Code, relating to state teachers' retirement.

Assembly Bill 2275—An act to repeal and add Chapter 12 (commencing with Section 19790) of Part 2 of Division 5 of Title 2 of the Government Code, relating to state civil service.

Assembly Bill 2277—An act to add and repeal Section 42176 of the Public Resources Code, relating to solid waste.

Assembly Bill 2283—An act to add Article 6.7 (commencing with section 53128) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, and to add Section 2889.7 to the Public Utilities Code, relating to telecommunications.

Assembly Bill 2285—An act to amend Sections 14018.2 and 14019.4 of the Welfare and Institutions Code, relating to Medi-Cal.

Assembly Bill 2343—An act to amend Sections 17074.52 and 17280 of the Education Code, relating to school facilities.

Assembly Bill 2366—An act to add Section 40277 to the Health and Safety Code, and to amend Section 9250.17 of, and to add Section 9520.21 to, the Vehicle Code, relating to vehicles.

Assembly Bill 2389—An act to add Section 1373.185 to the Health and Safety Code, and to add Section 10133.4 to the Insurance Code, relating to health care coverage.

Assembly Bill 2395—An act to amend Section 290 of the Penal Code, relating to sex offenders.

Assembly Bill 2498—An act to amend Sections 2560.5, 2561.5, 2562.1, 2562.3, and 2565 of the Streets and Highways Code, relating to transportation.

Assembly Bill 2507—An act to amend 7581, 7582.2, 7583.2, 7583.8, 7583.9, 7583.34, 7583.36, and 7587.7 of the Business and Professions Code, relating to private security services.

Assembly Bill 2520—An act to add Article 16.3 (commencing with Section 1758.7) to Chapter 5 of Part 2 of Division 1 of the Insurance Code, relating to self-service storage agents.

Assembly Bill 2536—An act to add Part 5.6 (commencing with Section 19959.10) to Division 13 of the Health and Safety Code, relating to building accessibility.

Assembly Bill 2554—An act to amend Sections 24216, 24216.5, and 24216.6 of the Education Code, relating to state teachers' retirement.

Assembly Bill 2647—An act to add Chapter 19 (commencing with Section 53100) to Part 28 of the Education Code, relating to education funding.

Assembly Bill 2672—An act to amend Sections 72400, 72410, 72421, and 72440 of, and to add Section 72425 to, the Public Resources Code, relating to vessels.

Assembly Bill 2673—An act to add Chapter 3.5 (commencing with Section 8451) to Part 4 of Division 6 of the Public Resources Code, relating to natural resources.

Assembly Bill 2724—An act to amend Sections 69980, 69982, 69983, 69986, 69990, and 94110 of the Education Code, relating to postsecondary education, and making an appropriation therefor.

Assembly Bill 2725—An act to amend Section 30824 of, and to add Section 30324.5 to, the Public Resources Code, relating to the California Coastal Commission.

Assembly Bill 2763—An act to add Section 113995.6 to, and to add Article 15 (commencing with Section 111224) to Chapter 5 of Part 5 of Division 104 of, the Health and Safety Code, relating to food labeling and safety.

Assembly Bill 2787—An act to add Chapter 22.2 (commencing with Section 22580) to Division 8 of the Business and Professions Code, relating to privacy.

Assembly Bill 2838—An act to amend Section 50650.3 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

Assembly Bill 2858—An act to amend Section 5374 of, and to add Section 5384.7 to, the Public Utilities Code, relating to charter-party carriers of passengers.

Assembly Bill 3051—An act to amend Section 5406 of, and to add Section 5406.7 to, the Labor Code, relating to workers' compensation.

Assembly Bill 1914—An act to amend Section 32500 of, and to add Sections 32501, 32502, and 32503 to, the Education Code, and to repeal Section 2053.4 of the Penal Code, relating to education in state prisons.

Assembly Bill 2146—An act to amend Sections 8280, 9004, and 12002 of, and to add Sections 8276.1 and 8280.8 to the Fish and Game Code, relating to Dungeness crab, and making an appropriation therefor.

Assembly Bill 2151—An act to add Section 16001.10 to the Welfare and Institutions Code, relating to adoption practices.

Assembly Bill 2173—An act to add Section 23593 to the Vehicle Code, relating to vehicles.

Assembly Bill 2176—An act to amend Section 42911 of, and to add Chapter 12.7 (commencing with Section 42648) to Part 3 of Division 30 of, the Public Resources Code, relating to recycling.

Assembly Bill 2205—An act to add Article 4 (commencing with Section 8228) to Chapter 2 of Part 6 of the Education Code, relating to child care, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2206—An act to add Section 13998 to, and to add Article 6.5 (commencing with Section 12065) to Chapter 1 of Part 2 of Division 3 of Title 2 of, the Government Code, relating to international trade.

Assembly Bill 2207—An act to amend Section 11093 of the Government Code, relating to statistical districts.

Assembly Bill 2209—An act to add Section 4310 to the Vehicle Code, relating to vehicles.

Assembly Bill 2222—An act to add Article 1.5 (commencing with Section 680) to Chapter 5 of Division 3 of the Harbors and Navigation Code, relating to boating safety.

Assembly Bill 2685—An act to add Section 65040.15 to the Government Code, relating to energy resources.

Assembly Bill 2686—An act to add Sections 49571 and 49591 to the Education Code, relating to schools.

Assembly Bill 2709—An act to amend Section 4000.37 of, and to add Section 16058 to, the Vehicle Code, relating to vehicles.

Assembly Bill 2710—An act to add Sections 66024.5, 66024.6, 66024.7, and 66024.8 to, and to add the heading of Article 3.5 (commencing with Section 66024.5) to Chapter 2 of Part 40 of, the Education Code, relating to public postsecondary education.

Assembly Bill 2880—An act to amend Sections 41081 and 44225 of the Health and Safety Code, and to amend Section 9250.2 of the Vehicle Code, relating to vehicles.

Assembly Bill 1961—An act to add Article 4 (commencing with Section 116022) to Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, relating to water public safety.

Assembly Bill 2031—An act to amend Section 26614 of the Government Code, relating to search and rescue.

Assembly Bill 2210—An act to amend Sections 44259 and 44279.2 of the Education Code, relating to teachers.

Assembly Bill 2261—An act to amend, repeal, and add Section 10006 of, and to add Sections 10006.5 and 10156.9 to, the Business and Professions Code, relating to real estate.

Assembly Bill 2281—An act to amend Sections 1179.1, 1179.2, and 1179.5 of, and to amend the heading of Part 5 (commencing with Section 1179) of Division 1 of, the Health and Safety Code, relating to rural health.

Assembly Bill 2350—An act to amend Sections 7300.1, 7300.3, 7300.4, 7301.1, 7301.5, 7309.1, 7310, 7311, 7311.1, 7311.2, 7311.3, 7311.4, 7313, 7315, 7316, and 7324 of the Labor Code, relating to safety in employment.

Assembly Bill 2447—An act to amend Section 321.6 of the Public Utilities Code, relating to public utilities.

Assembly Bill 2473—An act to amend Section 714 of the Civil Code, to repeal and add Section 65850.5 of the Government Code, and to repeal and add Section 17959.1 of the Health and Safety Code, relating to solar energy.

Assembly Bill 2480—An act to repeal and add Section 19170 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2791—An act to amend Sections 1337.1 and 1430 of the Health and Safety Code, relating to health facilities.

Assembly Bill 3015—An act to amend Section 1064 of the Government Code, relating to military service.

Assembly Bill 2722—An act to amend Section 37002 of, to add Section 37022.5 to, and to add Chapter 7 (commencing with Section 37030) to Division 28 of, the Public Resources Code, and to amend

Sections 17053.30 and 23630 of, and to add Section 19560 to, the Revenue and Taxation Code, relating to conservation, and making an appropriation therefor.

Assembly Bill 2727—An act to add and repeal Section 41203.2 of the Education Code, relating to education finance.

Assembly Bill 2738—An act to add and repeal Section 13302.5 of the Government Code, relating to state electronic payment systems.

Assembly Bill 2744—An act to amend Section 60605 of the Education Code, relating to testing.

Assembly Bill 2777—An act to amend Section 8670.17.2 of the Government Code, relating to oil spill prevention.

Assembly Bill 2813—An act relating to taxation.

REPORTS OF STANDING COMMITTEES
Committee on Natural Resources and Wildlife

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AJR 47

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 Joint Resolution 47—Relative to Cesar E. Chavez.

Resolution 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, May 26, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 430

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 430—An act to add Section 73502.3 to the Water Code, relating to water.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 430 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DUTRA

Permission of Rules Committee

Senate Chamber, May 26, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 430.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2127

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 2127—An act to amend Section 9542 of the Welfare and Institutions Code, relating to community-based services.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 548

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 548—An act to amend Sections 7646 and 7647 of the Business and Professions Code, relating to funeral directors and embalmers.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **ACR 222**, **ACR 229**, **ACR 230**, **ACR 232**, and **ACR 233** were withdrawn from Committee and placed on the Special Consent Calendar to be taken up May 27.

**CONSIDERATION OF DAILY FILE
SPECIAL CONSENT CALENDAR**

Senate Concurrent Resolution 65—Relative to the Officer Eugene A. Doran and Marine Lance Corporal Patrick M. Doran Memorial Bridge. Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1718—An act to add Section 8572.5 to the Government Code, relating to maritime security.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1912—An act to amend Section 49423 of the Education Code, relating to pupil health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1147—An act to amend Sections 218, 17207, and 24347.5 of the Revenue and Taxation Code, relating to disaster relief, to take effect immediately, tax levy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1228—An act to add Section 50662.8 to the Health and Safety Code, relating to housing assistance.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1309—An act to amend Sections 52616.17 and 52616.19 of, to repeal Section 52616.23 of, and to add Section 52616.26 to, the Education Code, relating to adult education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1348—An act to add Section 56509 to the Education Code, relating to special education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1361—An act to add Section 14107.6 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1439—An act to amend Section 21224 of the Government Code, relating to public employees' retirement.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1448—An act to amend Sections 60601, 60602, 60603, 60607, 60640, 60641, and 60642 of the Education Code, relating to pupil assessment.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1497—An act to amend Section 96.1 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1533—An act to repeal Sections 124250 and 124251 of the Health and Safety Code, and to add Section 13823.14 to the Penal Code, relating to the Office of Victim Services.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1536—An act to amend Sections 33126, and 49600 of the Education Code, relating to school personnel.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1578—An act to amend Section 339 of the Streets and Highways Code, relating to highways.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1591—An act to amend Section 52314 of the Education Code, relating to regional occupational programs.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1657—An act to add Section 8358.3 to the Education Code, relating to child care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1689—An act to amend Section 32425 of the Education Code, to add Section 17131.2 to the Revenue and Taxation Code, and to amend Section 2629.5 of the Unemployment Insurance Code, relating to reparations, and making an appropriation therefor.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1713—An act to amend Sections 17072, 17132.5, 17152, 17731, 18571, 23701w, and 23712 of, to add Sections 17160.5, 17202.5, and 23703.5 to, and to repeal and amend Section 17144.5 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1875—An act to add Section 84760 to the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1899—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1138—An act to amend Sections 37700, 37701, 37702, 37703, 37704, 37706, and 37707 of, and to add Sections 37700.10 and 37710 to, the Education Code, relating to school districts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1597—An act to add Chapter 4.5 (commencing with Section 10540) to Part 2 of Division 2 of Title 2 of the Government Code, relating to state audits.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1618—An act to amend Section 226 of the Labor Code, relating to employee compensation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 700—An act to amend Sections 12102 and 12114 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1510—An act to add Sections 195.89, 195.90, and 195.91 to the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 77—Relative to the State Advisory Committee on Institutional Religion.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 140—Relative to Brown v. Board of Education and Equality in Education Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 203—Relative to the California National Guard “Adopt an Armory” program.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 211—Relative to the Lewis and Clark Corps of Discovery Expedition.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 219—Relative to National Scholarship Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 223—Relative to Women's Health Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1359—An act to add Section 14107.13 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1443—An act to amend Section 2101 of, and to amend the heading of Chapter 3 (commencing with Section 2100) of Division 3 of, the Streets and Highways Code, relating to transportation, and making an appropriation therefor.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1541—An act to amend Sections 13352 and 23109 of, and to add Section 13354.1 to, the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1671—An act to amend Section 14145.1 of, and to add Section 14146 to, the Welfare and Institutions Code, relating to health.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1794—An act to amend Sections 1369, 1370, and 1370.01 of the Penal Code, relating to competency.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1802—An act to add Section 37254 to the Education Code, relating to supplemental instruction.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1850—An act to add Section 14131.2 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1415—An act to add Article 1.5 (commencing with Section 66725) to Chapter 9.2 of Part 40 of the Education Code, relating to postsecondary education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1660—An act to add Section 2933.7 to the Penal Code, relating to prisons, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1757—An act to amend Section 13332.09 of the Government Code, relating to state contracts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1860—An act to add Chapter 1.5 (commencing with Section 16050) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to foster care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1245—An act to add and repeal Article 8 (commencing with Section 89270) of Chapter 2 of Part 55 of the Education Code, relating to the California State University.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1322—An act to amend Sections 66025.6, 69433.4, 69750, 69750.3, 69750.5, 69750.7, and 69751 of, to add Section 69751.4 to, and to repeal and add Section 69751.3 of, the Education Code, and to amend Section 981.8 of the Military and Veterans Code, relating to veterans.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1764—An act to amend Section 120440 of the Health and Safety Code, relating to immunization.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 79—Relative to American Stroke Month.

Assembly amendments concurred in, to enrollment.

(NOTE: See Consent Calendar Roll Call)

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS

Senate Bill 1853—An act to amend Section 4996.9 of the Business and Professions Code, relating to clinical social work.

Bill read third time and presented by Senator Perata.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1166—An act to amend Section 23009 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Margett, McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Romero, Scott, Soto, Speier, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1666—An act to amend Section 22407 of the Public Utilities Code, relating to airports.

Bill read third time and presented by Senator Ashburn.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ashburn moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1781—An act to add Chapter 6.5 (commencing with Section 12660) to Part 2 of Division 11 of the Health and Safety Code, and to add Section 12302.5 to the Penal Code, relating to pyrotechnic operators.

Bill read third time and presented by Senator Brulte.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Margett,

McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Romero, Scott, Soto, Speier, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1397—An act to add Article 4.5 (commencing with Section 40459.5) to Chapter 5.5 of Part 3 of the Health and Safety Code, relating to air pollution.

Bill read third time and presented by Senator Escutia.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Escutia moved a call of the Senate.

Motion carried.

Senator Romero Presiding

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1511—An act to add Section 352 to the Labor Code, relating to employment.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Brulte, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Alarcón, Dunn, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1563—An act to add Section 4168 to the Business and Professions Code, relating to drug wholesalers and manufacturers.

Bill read third time and presented by Senator Escutia.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Escutia moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1404—An act to add Part 8 (commencing with Section 36700) to Division 18 of the Streets and Highways Code, relating to multifamily improvement districts.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Florez, Karnette, Kuehl, McPherson, Murray, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (9)—Senators Aanestad, Ackerman, Battin, Brulte, Hollingsworth, Margett, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1492—An act to add Chapter 6.5 (commencing with Section 56.32) to Part 2.6 of Division 1 of the Civil Code, and to add Chapter 6.5 (commencing with Section 1112) to Part 3 of Division 2 of the Labor Code, relating to confidential information.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senator Alpert Presiding

Senate Bill 1531—An act to amend Section 47602 of the Education Code, relating to charter schools.

Bill read third time and presented by Senator Poochigian.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Poochigian moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1676—An act to amend Section 6129 of the Penal Code, relating to crime.

Bill read third time and presented by Senator Romero.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Romero moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1735—An act to add Sections 12439.5 and 16321 to the Government Code, relating to state offices.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Ackerman, Ashburn, Brulte, Denham, Dunn, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

Senate Bill 1140—An act to amend Sections 12035, 12036, 12071, and 12078 of the Penal Code, relating to firearms.

Bill read third time and presented by Senator Scott.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Scott moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1287—An act to amend Section 2081.5 of, and to add Sections 1016.7, 2057, 2057.5, and 2058 to, the Penal Code, relating to prisoners.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Burton, Cedillo, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McClintock, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1904—An act to add Article 1.5 (commencing with Section 865) to Chapter 7 of Division 1 of the Financial Code, relating to

financial institutions, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Florez.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Florez moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1809—An act to amend Section 2699 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Ashburn moved the adoption of amendments to SB 1809.

Amendments read.

MOTION TO LAY ON THE TABLE

Senator Perata moved that the amendments to SB 1809 be laid on the table.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (18)—Senators Alarcón, Alpert, Chesbro, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Consideration of Senate Bill 1809

Bill presented by Senator Dunn.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Dunn moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1168—An act to add Chapter 8 (commencing with Section 105440) to Part 5 of Division 103 of the Health and Safety Code, relating to public health, and making an appropriation therefor.

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 (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1500—An act to amend Section 11629.85 of the Insurance Code, and to amend Section 4000.37 of, to amend, repeal, and add Section 4000.38 of, and to add Section 16058 to, the Vehicle Code, relating to vehicles

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1793—An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read third time and presented by Senator McPherson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Ackerman, Alpert, Ashburn, Battin, Bowen, Brulte, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Kuehl, Machado, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1590—An act to add Section 6254.18 to the Government Code, relating to public records.

Bill read third time and presented by Senator Dunn.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1390—An act relating to tourism, and making an appropriation therefor.

Bill read third time and presented by Senator Speier.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Speier moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1893—An act to amend Sections 21625, 21626, 21626.5, 21627, 21628, 21628.5, 21630, 21631, 21640, 21641, 21642, and 21647 of, to add Sections 21628.2, 21628.3, 21632, 21636.7, and 21636.8 to, and to repeal and add Section 21628.1 of, the Business and Professions Code, and to amend Sections 21208, 21300, 21300.1, and 21301 of, and to add Sections 21301.2 and 21301.3 to, the Financial Code, relating to personal property

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (3)—Senators Hollingsworth, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Senate Bill 1897—An act to add Sections 8203.1 and 8203.6 to the Education Code, relating to child care.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1221—An act to amend Section 46010.1 of the Education Code, relating to pupils.

Bill read third time and presented by Senator Morrow.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1316—An act to amend Sections 52052, 52054, 56157, 56366, 56366.1, 56366.5, and 56366.9 of, and to add Sections 49085, 56155.7, and 56366.10 to, the Education Code, and to amend Section 1501.1 of the Health and Safety Code, relating to foster children.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1900—An act to add Section 76104.6 to the Government Code, to amend Section 1405 of, and to add Section 296.3 to, the Penal Code, relating to forensic DNA.

Bill read third time and presented by Senator Burton.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Aanestad, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1809)**

On motion of Senator Dunn, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1809 was refused adoption by the following vote:

AYES (21)—Senators Alarcón, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, McClintock, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McPherson, Morrow, Oller, and Pochigian.

Motion to Amend

Senator Dunn moved the adoption of amendments to SB 1809 pursuant to Joint Rule 23.5.

Amendments read.

Roll Call

The roll was called and the amendments were adopted the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Pochigian.

MOTION TO SUSPEND SENATE RULE 29.3

Senator Dunn moved to suspend Senate Rule 29.3 to permit consideration of SB 1809 at this time, as amended, in print, and properly before the Senate.

Motion carried.

Consideration of Senate Bill 1809 as Amended

Senate Bill 1809—An act to amend Section 2699 of the Labor Code, relating to employment.

Bill presented by Senator Dunn.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Dunn moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1662—An act to add Sections 1569.656 and 1569.657 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (CONSENT CALENDAR)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Consent Calendar Roll Call

The roll was called and the measures on the Consent Calendar passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1853)**

On motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1853 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1666)**

On motion of Senator Ashburn, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1666 was refused passage by the following vote:

AYES (6)—Senators Ashburn, Burton, Ducheny, Florez, Morrow, and Vincent.

NOES (10)—Senators Alarcón, Brulte, Hollingsworth, Machado, McClintock, McPherson, Oller, Ortiz, Romero, and Soto.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1563)**

On motion of Senator Escutia, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1563 was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1676)**

On motion of Senator Romero, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1676 was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, McClintock, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Dunn, Hollingsworth, Margett, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

Senator Burton Presiding**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1140)**

On motion of Senator Scott, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1140 was passed by the following vote:

AYES (23)—Senators Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1904)**

On motion of Senator Florez, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1904 was adopted by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Morrow, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Morrow, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1390)**

On motion of Senator Speier, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1390 was passed by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Brulte, Cedillo, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Alarcón, Burton, Chesbro, Hollingsworth, Johnson, McClintock, Oller, and Romero.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1809)**

On motion of Senator Dunn, further proceedings under the call of the Senate were dispensed with.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1397)**

On motion of Senator Escutia, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1397 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Kuehl, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1488—An act to amend Section 583 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Aanestad, Ackerman, Battin, Denham, Ducheny, Margett, McPherson, and Morrow.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1531)**

On motion of Senator Poochigian, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1531 was passed by the following vote:

AYES (21)—Senators Aanestad, Ackerman, Alpert, Ashburn, Battin, Bowen, Brulte, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, Perata, Poochigian, and Scott.

NOES (7)—Senators Dunn, Escutia, Karnette, Kuehl, Romero, Soto, and Speier.

Above bill ordered transmitted to the Assembly.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Figueroa moved that **AB 35** be taken from the inactive file and placed on the second reading file.

Motion carried.

REQUEST TO BE ADDED TO ROLL CALL

May 26, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1492—Aye	SB 1735—Aye	SB 1287—Aye
SB 1590—Aye	SB 1316—Aye	SB 1662—Aye
SB 1563—Aye		

JOHN L BURTON, President pro Tempore

May 26, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1166—Aye	SB 1781—Aye	SB 1511—Aye
SB 1492—No	SB 1735—No	SB 1287—No
SB 1168—No	SB 1500—No	SB 1590—No
SB 1893—Aye	SB 1897—No	SB 1316—No
SB 1900—No	SB 1853—No	SB 1397—No
SB 1676—No	SB 1404—No	

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to a family illness: Senator Sher.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 12:14 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Thursday, May 27, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Public Safety**

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 2586

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2586—An act to add and repeal Section 4019.1 to the Penal Code, relating to prisoners.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Budget and Fiscal Review

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Budget and Fiscal Review, to which was referred:

SB 1095

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CHESBRO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1095—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the 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.

Committee on Governmental Organization

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which was referred:

AB 804

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 804—An act to amend Section 23086 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 804 pursuant to Joint Rule 58.

ASSEMBLY MEMBER JEROME HORTON

Permission of Rules Committee

Senate Chamber, May 26, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 804.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 425

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 425—An act to amend Section 743.1 of the Public Utilities Code, relating to public utilities.

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, May 26, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1592

AB 2363

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 1592—An act to amend Section 14845 of the Government Code, and to amend Sections 999, 999.5, 999.7, 999.9, 999.11, and 999.12 of the Military and Veterans Code, relating to veterans.

Bill read second time.

Assembly Bill 2363—An act to amend Sections 2982, 2985.8, and 2991 of the Civil Code, relating to automobile sales and leases.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Local Government

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Local Government, to which was referred:

AB 723

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 723—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 Health and Human Services

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1155

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 1155—An act to add Article 10 (commencing with Section 100580) to Chapter 3 of Part 1 of Division 101 of the Health and Safety 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 Rules

Senate Chamber, May 26, 2004

Mr. President: The Committee on Rules has examined:

SB 772

And reports that the same has been correctly enrolled, and presented to the Governor on the 26th day of May, 2004, at 11 a.m.

BURTON, Chair

Committee on Education

Date of Hearing, May 12, 2004

Mr. President: The Committee on Education, to which was referred:

ACR 116

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Senate Chamber, May 26, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 72

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 72—An act to amend Sections 8212 and 8226 of the Education Code, and to amend Sections 1596.853, 1596.859, and 1596.890 of, and to add Sections 1596.773 and 1596.8891 to, the Health and Safety Code, relating to child care.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 402** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

REQUEST TO ADJOURN IN MEMORIAM

Senator Oller requested that when the Senate adjourns this day it do so in memory of Jose Medrano Lujano of Live Oak.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senator's request until 9 a.m., Thursday, May 27, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWELFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, May 27, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent—35.
Quorum present.

(NOTE: Senators Battin and Murray will be excused this day on legislative business, Senator Oller will be excused this day on personal business, and Senator Sher will be excused this day due to a family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Grant us grace, O Lord, as we do our work this day. Give us the spirit of diligence and honest enquiry in our quest for truth, the spirit of charity in all our dealings with our comrades, and the spirit of gaiety and courage, and quiet minds in facing our tasks and responsibilities.—AMEN.

(Reinhold Niebuhr, adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Chesbro led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 26, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1790	AB 2901	AB 2398	AB 3027
AB 1959	AB 3001	AB 2455	AB 1868
AB 1960	AB 3017	AB 2532	AB 1957
AB 2186	AB 2111	AB 2591	AB 1958
AB 2213	AB 2112	AB 2600	AB 1983
AB 2326	AB 2113	AB 2611	AB 2266
AB 2499	AB 2114	AB 2705	AB 2271
AB 2514	AB 2115	AB 2706	AB 2295
AB 2596	AB 2116	AB 2804	AB 2364
AB 2661	AB 2117	AB 2832	AB 2411
AB 2665	AB 2118	AB 2867	AB 2559
AB 2683	AB 2119	AB 2902	AB 2631
AB 2690	AB 2120	AB 2915	AB 2637
AB 2742	AB 2121	AB 2952	AB 2751
AB 2748	AB 2122	AB 2973	AB 2865
AB 1793	AB 2123	AB 2297	AB 2893
AB 2066	AB 1858	AB 2316	AB 2924
AB 2080	AB 1885	AB 2373	AB 2955
AB 2196	AB 1866	AB 2377	AB 3020
AB 2240	AB 1911	AB 2387	AB 3034
AB 2248	AB 1923	AB 2400	AB 3036
AB 2450	AB 1941	AB 2860	AB 3042
AB 2657	AB 1962	AB 2905	AB 3044
AB 2715	AB 1964	AB 2909	AB 3079
AB 2784	AB 2067	AB 2941	AB 3094
AB 2816	AB 2079	AB 2943	
AB 2837	AB 2141	AB 2989	
AB 2866	AB 2162		

Assembly Chamber, May 26, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 782

Assembly Chamber, May 26, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

SCR 63

SCR 71

Above resolutions ordered enrolled.

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 1790—An act relating to school facilities.

Assembly Bill 1959—An act to add and repeal Section 8546.9 of the Government Code, relating to the State Auditor.

Assembly Bill 1960—An act to add Article 8 (commencing with Section 4130) to Chapter 9 of Division 2 of the Business and Professions Code, relating to pharmacy benefits management.

Assembly Bill 2186—An act to amend Section 66907.7 of the Government Code, relating to natural resources.

Assembly Bill 2213—An act to add and repeal Part 9.5 (commencing with Section 2550) of Division 2 of the Labor Code, relating to janitorial service contractors.

Assembly Bill 2326—An act to add Section 1368.021 to the Health and Safety Code, relating to prescription drugs.

Assembly Bill 2499—An act to add Sections 25142, 25308, 25309, and 25310 to, the Public Resources Code, and to add Section 378.5 to the Public Utilities Code, relating to energy resources.

Assembly Bill 2514—An act to amend Sections 5106 and 5108 of, and to add Section 5112 to, the Vehicle Code, relating to natural resources.

Assembly Bill 2596—An act relating to courses of study.

Assembly Bill 2661—An act to amend Section 1536 of, and to add Sections 1506.7, 1506.8, and 1506.9 to, the Health and Safety Code, relating to foster care.

Assembly Bill 2665—An act to amend Sections 71.4 and 76.3 of the Harbors and Navigation Code, relating to harbors and ports.

Assembly Bill 2683—An act to amend Section 44011 of the Health and Safety Code, and to amend Section 4000.1 of the Vehicle Code, relating to air pollution.

Assembly Bill 2690—An act to repeal and add Section 1720.4 to the Labor Code, relating to public works.

Assembly Bill 2742—An act to amend Section 2653 of the Penal Code, relating to prisons.

Assembly Bill 2748—An act to amend Section 12241 of the Elections Code, relating to precincts.

Assembly Bill 1793—An act to add Chapter 6.7 (commencing with Section 20650) to Division 8 of the Business and Professions Code, relating to video games.

Assembly Bill 2066—An act to amend Sections 52055.54 and 52055.650 of, and to add Article 3.1 (commencing with Section 52055.56) to Chapter 6.1 of Part 28 of, the Education Code, relating to schools, and making an appropriation therefor.

Assembly Bill 2080—An act to amend Section 11024.5 of, and to add Section 11024.3 to, the Education Code, relating to education.

Assembly Bill 2196—An act to add Section 49437 to the Education Code, relating to pupil nutrition.

Assembly Bill 2240—An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

Assembly Bill 2248—An act to add Chapter 1.5 (commencing with Section 103860) to Part 2 of Division 102 of the Health and Safety Code, relating to public health.

Assembly Bill 2450—An act to amend Section 6609.1 of the Welfare and Institutions Code, relating to mental health.

Assembly Bill 2657—An act to add and repeal Chapter 2 (commencing with Section 42100) of Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Assembly Bill 2715—An act to add Chapter 33 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to telemarketing.

Assembly Bill 2784—An act to amend Sections 130054.1 and 130054.8 of the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2816—An act to add Section 9253.5 to the Welfare and Institutions Code, relating to long-term care.

Assembly Bill 2837—An act to amend Section 8152 of the Education Code, relating to apprenticeships.

Assembly Bill 2866—An act to add Section 1871.9 to the Insurance Code, relating to workers' compensation.

Assembly Bill 2901—An act to add Article 10.4 (commencing with Section 25214.50) to Chapter 6.5 of Division 20 of the Health and Safety Code, and to add Chapter 8.6 (commencing with Section 42490) to Part 3 of Division 30 of the Public Resources Code, relating to hazardous and solid waste.

Assembly Bill 3001—An act to add Section 17318 to the Education Code, relating to school facilities.

Assembly Bill 3017—An act to amend Section 17071.75, and to repeal Sections 17071.35 and 17071.40 of the Education Code, relating to school facilities.

Assembly Bill 2111—An act relating to the Budget Act of 2004.

Assembly Bill 2112—An act relating to the Budget Act of 2004.

Assembly Bill 2113—An act relating to the Budget Act of 2004.

Assembly Bill 2114—An act relating to the Budget Act of 2004.

Assembly Bill 2115—An act relating to the Budget Act of 2004.

Assembly Bill 2116—An act relating to the Budget Act of 2004.

Assembly Bill 2117—An act relating to the Budget Act of 2004.

Assembly Bill 2118—An act relating to the Budget Act of 2004.

Assembly Bill 2119—An act relating to the Budget Act of 2004.

Assembly Bill 2120—An act relating to the Budget Act of 2004.

Assembly Bill 2121—An act relating to the Budget Act of 2004.

Assembly Bill 2122—An act relating to the Budget Act of 2004.

Assembly Bill 2123—An act relating to the Budget Act of 2004.

Assembly Bill 1858—An act to amend Sections 56366 and 56366.1 of, and to add Sections 56155.7, 56366.10, and 56366.11 to, the Education Code, relating to special education.

Assembly Bill 1885—An act to add Article 7 (commencing with Section 9913) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code, relating to employment.

Assembly Bill 1866—An act to add Section 5009.5 to the Penal Code, relating to prisoners.

Assembly Bill 1911—An act to add Section 13997.2 to the Government Code, relating to international trade, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 1923—An act to add Section 6401.8 to the Labor Code, relating to occupational safety and health.

Assembly Bill 1941—An act to amend Sections 851.5, 1170, 1170.3, and 1203.016 of, and to add Sections 833.2 and 13517.7 to, the Penal Code, relating to criminal procedure.

Assembly Bill 1962—An act to amend Sections 12340.5 and 12389 of the Insurance Code, relating to underwritten title companies.

Assembly Bill 1964—An act to amend Sections 799.46 and 799.55 of, and to add Sections 1866 and 1867 to, the Civil Code, relating to evictions.

Assembly Bill 2067—An act to amend Sections 56030, 56700, and 56886.5 of, and to add Section 56826.5 to, the Government Code, relating to local government reorganization.

Assembly Bill 2079—An act to add Sections 2157.1 and 2157.2 to the Elections Code, relating to voter information.

Assembly Bill 2141—An act to add and repeal Part 10 (commencing with Section 12997) of Division 6 of the Water Code, relating to water.

Assembly Bill 2162—An act to amend Sections 12710, 12711, 12713, 12714, and 12715 of the Government Code, relating to gaming.

Assembly Bill 2398—An act to amend Section 7097 of, and to add Section 7098 to, the Government Code, relating to economic development.

Assembly Bill 2455—An act to amend Sections 60061, 60200, and 60223 of the Education Code, relating to instructional materials.

Assembly Bill 2532—An act to add Section 6403.5 to the Labor Code, relating to health facilities.

Assembly Bill 2591—An act to amend Sections 5371.4, 5411.5, 5412.2, and 5413.5 of, and to add Section 5381.5 to, the Public Utilities Code, relating to charter-party carriers.

Assembly Bill 2600—An act to add Division 23.3 (commencing with Section 33300) to the Public Resources Code, relating to the Sierra Nevada Conservancy

Assembly Bill 2611—An act to amend Section 368 of the Penal Code, and to amend Section 15657 of, and to add Section 15657.5 to, the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Assembly Bill 2705—An act to amend Section 487 of the Penal Code, relating to crimes.

Assembly Bill 2706—An act to amend Sections 51870, 51871.5, 51874, 52295.20, 52295.25, 52295.30, and 52295.35 of, and to repeal Sections 51871.3 and 51871.4 of, the Education Code, relating to education technology.

Assembly Bill 2804—An act relating to construction defect actions.

Assembly Bill 2832—An act to add Section 1182.12 to the Labor Code, relating to employment.

Assembly Bill 2867—An act to amend Section 1940.1 of the Civil Code, relating to tenancy.

Assembly Bill 2902—An act to amend Section 21081 of the Public Resources Code, relating to environmental quality.

Assembly Bill 2915—An act to amend Section 6350 of the Penal Code, relating to endangered species.

Assembly Bill 2952—An act to add Section 17132.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Assembly Bill 2973—An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2297—An act to add a heading as Article 1 (commencing with Section 105275) to, and to add Article 2 (commencing with Section 105312) to, Chapter 5 of Part 5 of Division 102 of the Health and Safety Code, relating to imported candy.

Assembly Bill 2316—An act to add and repeal Section 10127.17 of the Insurance Code, relating to insurance.

Assembly Bill 2373—An act to amend Section 64201 of the Education Code, relating to education finance.

Assembly Bill 2377—An act to amend Sections 1803.5, 1808.7, 11200, 11202, 11202.5, 11205, 11205.1, 11206, 11208, 11215, 41501, 42005.1, and 42007 of, and to add Section 11208.5 to, the Vehicle Code, relating to vehicles.

Assembly Bill 2387—An act to amend, repeal, and add Section 66205 of the Education Code, relating to public postsecondary education.

Assembly Bill 2400—An act to amend Sections 11642, 17920.3, and 17980 of the Health and Safety Code, relating to substandard buildings.

Assembly Bill 2860—An act to amend Sections 60607 and 60641 of the Education Code, relating to pupils.

Assembly Bill 2905—An act to amend Section 832.9 of the Penal Code, relating to public safety officials.

Assembly Bill 2909—An act to amend Sections 95016 and 95020 of, and to add Section 95029.5 to, the Government Code, relating to early intervention services.

Assembly Bill 2941—An act to amend, repeal, and add Sections 3102 and 3103 of, and to add and repeal Section 3103.5 of, the Elections Code, relating to elections.

Assembly Bill 2943—An act to add Article 9 (commencing with Section 124172) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, relating to vaccinations.

Assembly Bill 2989—An act to amend Section 11454 of the Welfare and Institutions Code, relating to public social services.

Assembly Bill 3027—An act to amend Sections 112685, 112845, and 112850 of the Health and Safety Code, relating to canneries.

Assembly Bill 1868—An act to amend Section 10290 of, and to add Sections 10370, 10371, and 10372 to, the Insurance Code, relating to disability insurance.

Assembly Bill 1957—An act to add Sections 14982 and 14983 to the Government Code, and to add Article 5 (commencing with Section 110242) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

Assembly Bill 1958—An act to add Part 9 (commencing with Section 22980) to Division 5 of Title 2 of the Government Code, relating to pharmaceutical purchasing consortium.

Assembly Bill 1983—An act to amend Sections 8401, 8410, 8532, 8590, 8615, 12578, 12579, 12582.7, and 12841 of the Water Code, relating to water.

Assembly Bill 2266—An act to amend Section 985 of the Military and Veterans Code, relating to veterans.

Assembly Bill 2271—An act to amend Section 219 of the Code of Civil Procedure, relating to jury selection.

Assembly Bill 2295—An act to add Section 49605 to the Education Code, relating to pupil counseling.

Assembly Bill 2364—An act to add Section 7514.3 to the Government Code, relating to state pension systems, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2411—An act to add Chapter 3.5 (commencing with Section 13997.5) to Part 4.7 of Division 3 of Title 2 of the Government Code, relating to international trade.

Assembly Bill 2559—An act to add Article 8.5 (commencing with Section 44600) to Chapter 3 of Part 25 of the Education Code, relating to teachers.

Assembly Bill 2631—An act to add Division 37 (commencing with Section 71500) to the Public Resources Code, relating to natural resources.

Assembly Bill 2637—An act to add Article 4 (commencing with Section 89570) to Chapter 5 of Part 55 of the Education Code, relating to the California State University.

Assembly Bill 2751—An act to amend Section 48931 of the Education Code, relating to pupils.

Assembly Bill 2865—An act to amend Sections 2704.13 and 2704.16 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2893—An act to amend Section 3301 of the Government Code, relating to public safety officers.

Assembly Bill 2924—An act to add Section 25407 to the Public Resources Code, relating to energy.

Assembly Bill 2955—An act to add Section 25290.3 to the Health and Safety Code, relating to underground storage tanks.

Assembly Bill 3020—An act to amend Section 106 of the Labor Code and Section 329 of the Unemployment Code, relating to the Joint Strike Force on the Underground Economy.

Assembly Bill 3034—An act relating to biotechnology.

Assembly Bill 3036—An act to add Section 4204 to the Welfare and Institutions Code, relating to mental health.

Assembly Bill 3042—An act to add Section 675 to the Penal Code, relating to sentencing.

Assembly Bill 3044—An act to add Section 1264 to the Health and Safety Code, relating to prenatal testing.

Assembly Bill 3079—An act to amend Sections 3110.5 and 7120 of the Family Code, to amend Sections 68085, 68502.7, 68926, 68927, 71622, 72190, and 77006.5 of, and to repeal Section 72407 of, the Government Code, and to amend Sections 366.21 and 16010.6 of the Welfare and Institutions Code, relating to the courts.

Assembly Bill 3094—An act to amend Sections 7480, 21267, and 31452.6 of, and to add Section 21510 to, the Government Code, relating to retirement systems.

REPORTS OF STANDING COMMITTEES**Committee on Education**

Senate Chamber, May 27, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 379

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 379—An act to amend Section 8208 of, and to add Article 8.5 (commencing with Section 8245) to Chapter 2 of Part 6 of, the Education Code, relating to child development.

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 ASSEMBLY BILLS**

Assembly Bill 35—An act to amend Sections 65352 and 65400 of, and to repeal Section 65307 of, the Government Code, relating to local planning.

Bill read second time and ordered to third reading.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **ACR 226** was withdrawn from Committee and placed on the Special Consent Calendar to be taken up today.

CONSIDERATION OF DAILY FILE (RESUMED)**MOTION TO TAKE MEASURE FROM THE INACTIVE FILE**

Senator Ducheny moved that **AB 1462** be taken from the inactive file and placed on the second reading file.

Motion carried.

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Ackerman moved that **SB 1434** be placed on the inactive file.

Motion carried.

Senator Romero Presiding**THIRD READING OF SENATE BILLS**

Senate Bill 1822—An act to add Title 1.81.15 (commencing with Section 1798.88) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Aanestad, Ashburn, Brulte, Denham, Hollingsworth, McClintock, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1820—An act to amend Sections 51203, 51243.6, 51283, 56738, and 56754 of, and to amend, repeal, and add Section 51243.5 of, the Government Code, relating to land conservation.

Bill read third time and presented by Senator Machado.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Ortiz, Perata, Romero, Scott, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, and Poochigian.

Bill ordered transmitted to the Assembly.

Senate Bill 1275—An act to add Sections 1264, 1264.5, and 1264.6 to the Health and Safety Code, relating to health facilities.

Bill read third time and presented by Senator Ortiz.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ortiz moved a call of the Senate.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill 1129—An act to amend Section 17462.5 of, and to add and repeal Section 17463.5 of, the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately

Bill read third time and presented by Senator Johnson.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,

McClintock, McPherson, Morrow, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1510—An act to amend Sections 52904, 54686.2, 58562, and 99242 of, to amend and repeal Sections 37252.8, 37253, 42239.1, 42239.15, 42241.2, 42243.7, 48431.6, 48431.7, and 48644.5 of, to amend, repeal, and add Sections 42238, 42238.5, and 42239 of, to add Sections 411, 18185, 32228.6, 32296.10, 42289.6, 44279.8, 44309, 44387, 44399.5, 44509, 44579.6, 47774, 48642, 52002, 52335.11, 52891, 53032, 53095, 54206, 54669, 54698, 54735, 54763, and 58737 to, to add Chapter 3.2 (commencing with Section 41500) to Part 24 of, and to repeal and add Section 42240 of, the Education Code, relating to education finance.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senate Bill 1692—An act to amend Section 49455 of the Education Code, relating to pupils.

Bill read third time and presented by Senator Vasconcellos.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Alarcón, Alpert, Bowen, Burton, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Perata,

Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (5)—Senators Ackerman, Ashburn, Brulte, Hollingsworth, and McClintock.

Bill ordered transmitted to the Assembly.

Senate Bill 1276—An act to amend Section 739.3 of the Public Utilities Code, relating to telecommunications.

Bill read third time and presented by Senator Bowen.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Bowen moved a call of the Senate.

Motion carried.

SPECIAL CONSENT CALENDAR

Assembly Concurrent Resolution 226—Relative to Older Americans Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 222—Relative to Small Business Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 229—Relative to California Museum Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 230—Relative to Memorial Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 232—Relative to Armed Forces Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 233—Relative to Yellow Ribbon Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1275)**

On motion of Senator Ortiz, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1275 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Ortiz, Perata, Romero, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1276)**

On motion of Senator Bowen, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SB 1276 was passed by the following vote:

AYES (27)—Senators Aanestad, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (5)—Senators Ackerman, Brulte, Hollingsworth, McClintock, and Morrow.

Above bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 403—An act to amend Section 12104 of the Financial Code, relating to check sellers and proraters, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Speier.

Urgency Clause

Urgency clause read.
The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Speier moved a call of the Senate.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 403)**

On motion of Senator Speier, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to AB 403 was refused adoption by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Perata, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Brulte, Hollingsworth, Johnson, Margett, McClintock, Morrow, and Poochigian.

Motion to Reconsider

Senator Speier moved to reconsider the vote whereby the urgency clause to AB 403 was refused adoption.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered returned to third reading.

REQUEST TO BE ADDED TO ROLL CALL

May 27, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measure taken up on this day:

SB 1692—Aye

JOHN L BURTON, President pro Tempore

May 27, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1822—Aye SB 1820—No SB 1129—Aye
SB 1692—No

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Battin and Murray.

The following Senator was granted leave of absence for the day due to personal business: Senator Oller.

The following Senator was granted leave of absence for the day due to a family illness: Senator Sher.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:51 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Friday, May 28, 2004.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
May 27, 2004

To the Members of the California Senate:

SB 23, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of SB 23 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered transmitted to the Governor.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, May 27, 2004

The Committee on Rules has referred the following measures to committee:

Agriculture and Water Resources—AB 1896, AB 2298, AB 3025; AJR 65.

Business and Professions—AB 1857, AB 2168, AB 2626, AB 3023.

Education—SR 36; AB 1819, AB 1832, AB 1846, AB 1897, AB 1973, AB 1999, AB 2339, AB 2362, AB 2477, AB 2512, AB 2841, AB 2913, AB 3010, AB 3064.

Elections and Reapportionment—AB 2451, AB 2454, AB 2917, AB 3101, AB 3102.

Energy, Utilities and Communications—AB 2303.

Environmental Quality—AB 1942, AB 2021, AB 2254, AB 2290, AB 2922.

Governmental Organization—AB 1831, AB 2276, AB 2311, AB 2397, AB 2538, AB 2945, AB 3091.

Health and Human Services—AB 824, AB 1822, AB 2005, AB 2013, AB 2086, AB 2307, AB 2716, AB 3029, AB 3056; AJR 70.

Housing and Community Development—AB 2158, AB 2376, AB 2926.

Insurance—AB 2147, AB 2185, AB 2199, AB 2249, AB 2289, AB 2444, AB 2677, AB 2759, AB 2962; AJR 44.

Judiciary—AB 1910, AB 1912, AB 1933, AB 2010, AB 2018, AB 2057, AB 2088, AB 2092, AB 2167, AB 2228, AB 2252, AB 2347, AB 2445, AB 2502, AB 2503, AB 2521, AB 2530, AB 2613, AB 2708, AB 2872, AB 2900, AB 2932, AB 3016, AB 3080.

Labor and Industrial Relations—AB 1845, AB 2028, AB 2412, AB 2649, AB 2704, AB 2850, AB 2919.

Local Government—AB 2224, AB 2279, AB 2634, AB 2856, AB 3077.

Natural Resources and Wildlife—SJR 30; AB 1926, AB 2047, AB 2337, AB 2420, AB 2635, AB 2760.

Public Employment and Retirement—AB 2233, AB 2314, AB 2753, AB 2956, AB 3008, AB 3076.

Public Safety—AB 1808, AB 1992, AB 2037, AB 2152, AB 2219, AB 2431, AB 2475, AB 2829, AB 3092, AB 3095.

Revenue and Taxation—AB 1994, AB 2030, AB 2144.

Rules—AB 2333, AB 2509, AB 2525, AB 2812, AB 2891, AB 3085.

Transportation—SCR 84; AB 1854, AB 1878, AB 2075, AB 2353, AB 2785, AB 2817; ACR 152; AJR 74.

Veterans Affairs—AJR 71.

The Committee on Rules has referred the following measures to two committees:

Banking, Commerce and International Trade and Judiciary—AB 2693.

Business and Professions and Judiciary—AB 2007, AB 2170, AB 2516.

Business and Professions and Rules—AB 2193.

Education and Environmental Quality—AB 2485.

Energy, Utilities and Communications and Environmental Quality—AB 1966.

Energy, Utilities and Communications and Judiciary—AB 2430.

Governmental Organization and Local Government—AB 1827.

Health and Human Services and Insurance—AB 2429.

Health and Human Services and Judiciary—AB 2149.

Health and Human Services and Public Safety—AB 1913, AB 1945.

Housing and Community Development and Judiciary—AB 1836.

Insurance and Judiciary—AB 2208.

Judiciary and Transportation—AB 1847.

Labor and Industrial Relations and Judiciary—AB 2870.

Local Government and Judiciary—AB 1903.

Public Safety and Transportation—AB 2001.

Revenue and Taxation and Judiciary—AB 1916.

Committee on Environmental Quality

Senate Chamber, May 27, 2004

Madam President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2528

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2528—An act to repeal and add Section 116455 of the Health and Safety Code, relating to public water systems.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, May 27, 2004

Madam President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 3024

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 3024—An act to amend Section 52282 of the Food and Agricultural Code, relating to seeds.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, May 27, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1299

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 1299—An act to amend Sections 1368.2, 1746, and 1749 of the Health and Safety Code, relating to health facilities.

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, May 27, 2004

Madam President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2021

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2021—An act to amend Sections 25214.14 and 25124.15 of, and to amend the heading of Article 10.3 (commencing with Section 25214.11) of Chapter 6.5 of Division 20 of, the Health and Safety Code, relating to hazardous waste.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Public Safety

Senate Chamber, May 27, 2004

Madam President: The Chair of the Committee on Public Safety, to which was referred:

AB 2126

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2126—An act to amend Section 11112.4 of the Penal Code, relating to crime prevention.

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, May 27, 2004

Madam President: The Chair of the Committee on Judiciary, to which were referred:

AB 1704

AB 1990

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 1704—An act to amend Section 724.060 of the Code of Civil Procedure, to amend Sections 4014, 4202, 5002, 17400, 17406, 17432, and 17500 of, and to add Section 5003 to, the Family Code, to amend Section 27282 of the Government Code, and to amend Section 19271.6 of the Revenue and Taxation Code, relating to family law.

Bill read second time.

Assembly Bill 1990—An act to amend Section 16461 of the Probate Code, relating to trusts.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Transportation

Senate Chamber, May 27, 2004

Madam President: The Chair of the Committee on Transportation, to which was referred:

AB 575

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 575—An act to amend Section 40000.19 of, and to add and repeal Division 14.75 (commencing with Section 34200) of, the Vehicle Code, relating to motor carriers.

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, May 27, 2004

Madam President: The Committee on Rules has examined:

SB 23

And reports that the same has been correctly enrolled, and presented to the Governor on the 27th day of May, 2004, at 11:30 a.m.

BURTON, Chair

Senate Chamber, May 27, 2004

Madam President: The Chair of the Committee on Rules, to which was referred:

SB 1160

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1160—An act relating to drivers, and declaring the 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.

Committee on Business and Professions

Senate Chamber, May 27, 2004

Madam President: The Chair of the Committee on Business and Professions, to which were referred:

AB 2150

AB 2184

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 2150—An act to amend Section 5107 of the Business and Professions Code, relating to accountancy.

Bill read second time.

Assembly Bill 2184—An act to amend Section 4008 of, and to add Section 4119.1 to, the Business and Professions Code, and to amend Sections 1261.5 and 1261.6 of the Health and Safety Code, relating to health facilities

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 804** was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Rules;

AB 1155 was withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Rules;

AB 425 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

AB 901 was withdrawn from the Committee on Transportation and re-referred to the Committee on Rules.

REQUEST TO ADJOURN IN MEMORIAM

Senator Scott requested that when the Senate adjourns this day it do so in memory of Rev. Father Shahe Semerdjian of Las Vegas, Nevada.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senator's request until 9 a.m., Friday, May 28, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, May 28, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Alpert, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McClintock, McPherson, Poochigian, Scott, Speier, Torlakson, and Vasconcellos—22.

Quorum present.

(NOTE: Senators Ackerman, Alarcón, Ashburn, Battin, Bowen, Denham, Escutia, Karnette, Morrow, Murray, Ortiz, Perata, Romero, and Vincent will be excused this day on legislative business, Senator Oller will be excused this day on personal business, Senator Sher will be excused this day due to family illness, and Senator Soto will be excused this day due to illness.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 27, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 1510

Assembly Chamber, May 27, 2004

Mr. President: I am directed to inform your honorable body that the Assembly appointed the following Members of the Assembly as a

Committee on Conference concerning AB 1749: Steinberg, Keene, and Chu.

Assembly Chamber, May 27, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1788	AB 2598	AB 1950	AB 2702
AB 1812	AB 2718	AB 1980	AB 2750
AB 1829	AB 2840	AB 1988	AB 2842
AB 2064	AB 2868	AB 2006	AB 2874
AB 2106	AB 2869	AB 2019	AB 2875
AB 2190	AB 2930	AB 2197	AB 2100
AB 2280	AB 2982	AB 2203	AB 2101
AB 2406	AB 3021	AB 2378	AB 2103
AB 2413	AB 3090	AB 2396	AB 2104
AB 2476	AB 1839	AB 2404	AB 2105
AB 2565	AB 1850	AB 2474	AB 2110
AB 2585	AB 1927	AB 2633	

Assembly Chamber, May 27, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 213

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 1788—An act to add Division 23.3 (commencing with Section 33300) to the Public Resources Code, relating to the Sierra Nevada Conservancy.

Assembly Bill 1812—An act to amend Section 12517.2 of the Vehicle Code, relating to vehicles.

Assembly Bill 1829—An act to amend Section 5703 of the Government Code, and to add Chapter 3.55 (commencing with Section 12140) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

Assembly Bill 2064—An act to amend Section 5625 of, and to add Section 5019.54 to, the Public Resources Code, relating to parks and recreation.

Assembly Bill 2106—An act to add Article 7.5 (commencing with Section 9147.1) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to repeal Section 13305 of, the Government Code, relating to state government.

Assembly Bill 2190—An act to amend Section 172 of the Penal Code, relating to the Fred C. Nelles School for Boys.

Assembly Bill 2280—An act to add Section 13007 to the Fish and Game Code, relating to sport fishing

Assembly Bill 2406—An act to amend, repeal, and add Section 13110.5 of the Health and Safety Code, relating to fire safety.

Assembly Bill 2413—An act to add Chapter 5.5 (commencing with Section 60700) to Part 33 of the Education Code, relating to English learners.

Assembly Bill 2476—An act to amend Sections 29702, 29703, 29705, 29706, 29707, 29735, 29739, 29741, 29753, 29756, 29756.5, 29761, 29762, 29763, 29763.5, 29765, 29771, 29776, and 29777 of, to add Section 29760.5 to, and to repeal Section 29761.5 of, the Public Resources Code, relating to the Sacramento-San Joaquin Delta.

Assembly Bill 2565—An act to add and repeal Chapter 4.5 (commencing with Section 13998) of Part 4.7 of Division 3 of Title 2 of the Government Code, and to repeal Part 14 (commencing with Section 37980) of Division 24 of the Health and Safety Code, relating to economic development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2585—An act to add Section 40608 to the Health and Safety Code, relating to air pollution.

Assembly Bill 2598—An act to amend Sections 1353.6, 1363, 1365.1, 1365.2, 1366, and 1367.1 of, and to add Section 1367.3 to, the Civil Code, relating to common interest developments.

Assembly Bill 2718—An act to amend Sections 1365, 1365.5, and 1368 of, and to add Sections 1365.2 and 1365.3 to, the Civil Code, relating to common interest developments.

Assembly Bill 2840—An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

Assembly Bill 2868—An act to amend Section 1632 of the Civil Code, and to add Division 24 (commencing with Section 70000) to the Financial Code, relating to loans.

Assembly Bill 2869—An act to amend Section 9601 of the Public Utilities Code, relating to public utilities.

Assembly Bill 2930—An act to amend Sections 3303 and 3304 of the Government Code, relating to public safety officers.

Assembly Bill 2982—An act to amend Section 31725.6 of the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 3021—An act to amend Section 1088 of the Unemployment Insurance Code, relating to employment.

Assembly Bill 3090—An act to amend Section 21080 of the Public Resources Code, relating to environmental quality.

Assembly Bill 1839—An act to amend Sections 2982 and 2982.5 of, and to add Sections 1793.27 and 2982.2 to, the Civil Code, and to amend Section 11709.2 of the Vehicle Code, relating to consumers.

Assembly Bill 1850—An act to amend Section 470 of, and to add Sections 470.1, 470.2, 470.3, 470.4, and 470.5 to, the Revenue and Taxation Code, relating to property taxation.

Assembly Bill 1927—An act to amend Section 1373 of, and to add Sections 1373.35 and 1373.45 to, the Health and Safety Code, relating to health care.

Assembly Bill 1950—An act to add Section 1798.81.5 to the Civil Code, relating to privacy.

Assembly Bill 1980—An act to add Section 18680.5 to the Elections Code, relating to initiative, referendum, and recall.

Assembly Bill 1988—An act to add Section 38086 to the Education Code, relating to schools.

Assembly Bill 2006—An act to add Article 17 (commencing with Section 400) to Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, relating to electricity.

Assembly Bill 2019—An act to add Article 15.5 (commencing with Section 645) to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to minors.

Assembly Bill 2197—An act to add and repeal Section 6103 of the Water Code, relating to water.

Assembly Bill 2203—An act to amend Sections 6592, 7063, 19108, 19113, 19164, and 19521 of, to add Section 19777.5 to, to add Chapter 9.1 (commencing with Section 19730) to Part 10.2 of Division 2 of, to repeal Sections 19107 and 19110 of, and to repeal and add Article 2 (commencing with Section 7070) of Chapter 8 of Part 1 of Division 2 of, the Revenue and Taxation Code, relating to taxation.

Assembly Bill 2378—An act to add Chapter 4.2 (commencing with Section 1395) to Division 2 of the Fish and Game Code, relating to riparian streams, and making an appropriation therefor.

Assembly Bill 2396—An act to add Section 1021.11 to the Code of Civil Procedure, relating to court costs.

Assembly Bill 2404—An act to add Section 53080 to the Government Code, relating to discrimination.

Assembly Bill 2474—An act to amend Sections 15634 and 15655.5 of, and to add Section 15630.1 to, the Welfare and Institutions Code, relating to elder abuse.

Assembly Bill 2633—An act to add Sections 25163.4 and 25163.5 to the Health and Safety Code, to amend Section 40194 of, and to add Section 43032 to, the Public Resources Code, and to add Section 13287 to the Water Code, relating to grease.

Assembly Bill 2702—An act to amend Sections 65583 and 65852.2 of, and to add Section 65917.1 to, the Government Code, relating to housing.

Assembly Bill 2750—An act to add Section 273 to the Labor Code, relating to state employees

Assembly Bill 2842—An act to amend Section 85307 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2874—An act to amend Sections 1255.1 and 1300 of the Health and Safety Code, relating to public health.

Assembly Bill 2875—An act to amend Section 4186 of the Fish and Game Code, relating to rabbits.

Assembly Bill 2100—An act to add Sections 4512.5, 4519.8, and 4631.2 to the Welfare and Institutions Code, relating to developmental services, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2101—An act to add and repeal Section 12803.9 of the Government Code, relating to health and human services.

Assembly Bill 2103—An act to add and repeal Section 5012 of the Penal Code, relating to the Department of Corrections.

Assembly Bill 2104—An act to add Section 6052 to the Penal Code, relating to wardens, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2105—An act relating to the Department of Corrections, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill 2110—An act to amend Section 12101.5 of the Public Contract Code, relating to state contracts.

Assembly Concurrent Resolution 213—Relative to Filipino farmworkers.

REPORTS OF STANDING COMMITTEES
Committee on Health and Human Services

Senate Chamber, May 28, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1335

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 1335—An act to amend Section 46013.1 of the Food and Agricultural Code, and to amend Sections 110815, 110835, 110838, 110875, and 110930 of, and to repeal Section 110839 of, the Health and Safety Code, relating to organic products.

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, May 28, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 2172

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 2172—An act to amend Section 280.5 of the Public Utilities Code, relating to telecommunications.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Public Safety

Senate Chamber, May 28, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 1808

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1808—An act to amend Section 374.7 of the Penal Code, relating to littering.

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 ASSEMBLY BILLS**

Assembly Bill 1462—An act to amend Section 50517.5 of the Health and Safety Code, relating to farmworker housing.

Bill read second time and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1647—An act to add Section 17357.5 to the Education Code, relating to public schools.

Bill read third time.

Amendments Adopted

Amendments to AB 1647 proposed by Senator Alarcón were read and adopted and the measure ordered printed and to second reading.

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

Annual report dated: April 14, 2004, relating to the Del Norte County EMS Fund, FY 2002–03 was received from the Del Norte County Department of Health and Social Services and transmitted to the Committee on Health and Human Services.

Annual report dated: April 26, 2004, relating to the Yuba County EMS Fund, FY 2002–03 was received from the Yuba County Health and Human Services Department and transmitted to the Committee on Health and Human Services.

A report dated: April 30, 2004, relating to Challenge Grant II Final Report and Juvenile Justice Crime Prevention Act Annual was received from the Board of Corrections and transmitted to the Committee on Public Safety.

A report dated: April 30, 2004, relating to High-Risk Sex Offender. Initial Report was received from California Department of Corrections and transmitted to the Committee on Public Safety.

Annual report dated: May 3, 2004, relating to the Monterey County EMS Fund, FY 2002–03 was received from the Monterey County Department of Health and transmitted to the Committee on Health and Human Services.

A supplemental report dated: May 5, 2004, relating to the 2001 Budget Act was received from The California State University and transmitted to the Committee on Budget and Fiscal Review.

A report dated: May 7, 2004, relating to the Procurement Training and Certification Program was received from the Department of General Services and transmitted to the Committee on Budget and Fiscal Review.

A report dated: May 10, 2004, relating to Title IX Athletics Compliance at California's Public High Schools, Community Colleges, and Universities was received from the Department of Education and the California Postsecondary Education Commission and transmitted to the Committee on Education.

A report dated: May 10, 2004, relating to Independent Audit of Energy Efficiency and Low-Income Assistance Funds was received from the Public Utilities Commission and transmitted to the Committee on Budget and Fiscal Review.

A report dated: May 10, 2004, relating to the 2003 Budget Act was received from Electricity Oversight Board and transmitted to the Committee on Budget and Fiscal Review.

Annual report dated: May 11, 2004, relating to Ventura County EMS Fund, FY 2002-03 was received from the Ventura County Public Health Agency and transmitted to the Committee on Health and Human Services.

A report dated: May 11, 2004, relating to Consulting Services Contracting Reports for the Fiscal Year 2002-03 was received from Department of General Services and transmitted to the Committee on Business and Professions.

A report dated: May 11, 2004, relating to Children's Environmental Health Program was received from California Environmental Protection Agency and transmitted to the Committee on Environmental Quality.

A report dated: May 11, 2004, relating to the San Simeon Earthquake was received from the Seismic Safety Commission and transmitted to the Committee on Governmental Organization.

A Title Summary report dated: May 12, 2004, relating to Marriage. Call for National Constitutional Convention. Initiative Constitutional Amendment was received from Department of Justice and transmitted to the Committee on Rules.

A report dated: May 12, 2004, relating to Battery Backup Program for Light Emitting Diode Traffic Signals was received from the California Energy Commission and transmitted to the Committee on Energy, Utilities and Communications.

Audit report dated: May 12, 2004, relating to the California Public Utilities Commission's use of fees paid by railroad corporations was received from California State Auditor and transmitted to the Committee on Rules.

A report dated: May 13, 2004, relating to the March 2004 Report of Estimated Proposition 98 Savings was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: May 13, 2004, relating Hazardous Waste Fee Revenues was received from State Board of Equalization and transmitted to the Committee on Environmental Quality.

Audit report dated: May 13, 2004, relating to the Franchise Tax Board to Collect Delinquent Fees, Wages, Penalties, Costs, and Interest referred by the Department Of Industrial Relations was received from California State Auditor and transmitted to the Committee on Rules.

A qualified initiative dated: May 14, 2004, relating to Limitations on Enforcement of Unfair Business Competition Laws. Initiative Statute. was received from the Secretary of State and transmitted to the Committee on Rules

Annual report dated: May 14, 2004, relating to the Substance Abuse and Crime Prevention Act of 2000 was received from the Department of Alcohol and Drug Program and transmitted to the Committee on Health and Human Services.

A report dated: May 14, 2004, relating to DGS Small Business and DVBE Improvement Plan was received from the Department of General Services and transmitted to the Committee on Governmental Organization.

A report dated: May 17, 2004, relating to Changing the Kindergarten Start Date Study was received from the Department of Education and transmitted to the Committee on Education.

A Title Summary report dated: May 18, 2004, relating to Population Policy. Legislative Directive. Initiative Statute. was received from Department of Justice and transmitted to the Committee on Rules.

A report dated: May 20, 2004, relating to compliance with the Storm Water Enforcement Act of 1998 was received from the State Water Resources Control Board and transmitted to the Committee on Environmental Quality.

A report dated: May 20, 2004, relating to Energy Savings Benefit Report was received from the Department of General Services and transmitted to the Committee on Energy Utilities and Communications.

A report relating to Redevelopment Housing Activities, FY 2000–01 was received from the Department of Housing and Community Development and transmitted to the Committee on Housing and Community Development.

A report relating to Redevelopment Housing Activities, FY 2001–02 was received from the Department of Housing and Community Development and transmitted to the Committee on Housing and Community Development.

A report relating to the Anti-Reproductive-Rights Crimes was received from Department of Justice and transmitted to the Committee to Judiciary.

A report relating to Proposed Modifications to Regulations was received from the Secretary of State and transmitted to the Committee on Governmental Organization.

A report relating to 2003–04 Tax Expenditure was received from the Department of Finance and transmitted to the Committee on Budget and Fiscal Review.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Ackerman, Alarcón, Ashburn, Battin, Bowen, Denham, Escutia, Karnette, Morrow, Murray, Ortiz, Perata, Romero, and Vincent.

The following Senator was granted leave of absence for the day due to personal business: Senator Oller.

The following Senator was granted leave of absence for the day due to a family illness: Senator Sher.

The following Senator was granted leave of absence for the day due to illness: Senator Soto.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Tuesday, June 1, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FOURTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 1, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Ortiz, Perata, Poochigian, Romero,
Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—35.

Quorum present.

(NOTE: Senators Dunn, Florez, and Oller will be excused this day on legislative business and Senator Murray will be excused this day on personal business.)

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, May 28, 2004

Mr. President: The Committee on Rules has examined:

SCR 63 SCR 71 SCR 79

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 28th day of May, 2004, at 4:30 p.m.

BURTON, Chair

Committee on Transportation

Senate Chamber, June 1, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

AB 2027

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 2027—An act to amend Section 560 of the Streets and Highways Code, relating to highways.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Natural Resources and Wildlife

Senate Chamber, June 1, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 2140

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 2140—An act to amend Section 5000 of the Fish and Game Code, and to amend Section 80172 of the Food and Agricultural Code, relating to desert species, 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

Senate Chamber, June 1, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 2078

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2078—An act to amend Sections 11100, 11100.1, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

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 1, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 745

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 745—An act to add Sections 1210, 35032.5, and 72427 to the Education Code, relating to local educational agencies.

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 1, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 389

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 389—An act to add Chapter 6.10.1 (commencing with Section 25403) to Division 20 of the Health and Safety Code, relating to hazardous substances.

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 1, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 960

AB 2292

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 960—An act to add and repeal Article 8.8 (commencing with Section 1039) to Chapter 4 of Division 8 of the Evidence Code, and to amend Section 3304 of the Government Code, relating to privilege.

Bill read second time.

Assembly Bill 2292—An act to add Section 3105 to the Family Code, and to add Section 1602 to the Probate Code, relating to visitation.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Transportation

Senate Chamber, June 1, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

SB 1247

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

MURRAY, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 1247—An act to add and repeal Part 4.5 (commencing with Section 42950) of Division 26 of the Health and Safety Code, relating to air pollution.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to SB 1247 pursuant to Joint Rule 58.

SENATOR SOTO

Permission of Rules Committee

Senate Chamber, June 1, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to SB 1247.

BURTON, Chair

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 1, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 1733

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 1733—An act to amend and repeal Section 454.5 of the Public Utilities Code, relating to electricity.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Senate Chamber, June 1, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 1836

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1836—An act to amend Sections 1354 , 1357.120, and 1366.3 of, to amend and renumber Section 1368.4 of, and to add Article 5 (commencing with Section 1363.810) to Chapter 4 of, and Article 1 (commencing with Section 1368.3) and Article 2 (commencing with Section 1369.510) to Chapter 7 of, Title 6 of Part 4 of Division 2 of, the Civil Code, and to repeal Section 383 of the Code of Civil Procedure, relating to common interest developments.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Public Employment and Retirement

Senate Chamber, June 1, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 3076

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 3076—An act to amend Sections 22003, 22502, and 22601.5 of the Education Code, relating to state teachers' retirement.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, June 1, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 920

AB 1818

Reports the same back with the recommendation: Do pass.

ESCUZIA, Chair

Above bills ordered to second reading.

Date of Hearing, June 1, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2313

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

ESCUZIA, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 1, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 2182

AB 3081

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

ESCUZIA, Chair

Above measures ordered to second reading.

Committee on Business and Professions

Senate Chamber, June 1, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 2516

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 2516—An act to amend Sections 6401, 22440, 22441, 22442, 22442.1, 22442.2, 22442.3, 22442.4, 22443, 22443.1, 22443.3, 22444, 22446.5, and 22447 of, and to amend the heading of Chapter 19.5 (commencing with Section 22440) of Division 8 of, the Business and

Professions Code, and to amend Section 8223 of the Government Code, relating to immigration document assistants.

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 ASSEMBLY BILLS**

Assembly Bill 1647—An act to add Section 1229 to the Water Code, relating to water.

Bill read second time and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT (AB 1583)

Senator Kuehl asked for, and was granted, unanimous consent that AB 1583 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 1583

Assembly Bill 1583—An act to add Section 30238 to the Public Resources Code, relating to coastal resources.

Bill read second time

Motion to Amend

Amendments to AB 1583 proposed by Senator Kuehl were read and adopted and the measure ordered printed and ordered transmitted to the committee on Rules.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 1324)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1324 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1324

Assembly Bill 1324—An act relating to workers' compensation.

Bill read.

Motion to Amend

Amendments to AB 1324 proposed by Senator Alarcón were read and adopted and the measure ordered printed and to second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1335** was withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Rules.

**SENATE COMMITTEE ROLL CALLS
Committee on Judiciary**

AB 920—Do pass

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 1818—Do pass

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 1848—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 1851—Do pass as amended, to Consent Calendar

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 1883—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 2182—Do pass, to Consent Calendar

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 2313—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 3081—Do pass, to Consent Calendar

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

Date of Hearing: 6/1/04

Escutia (Chair)

Committee on Public Safety**AB 141**—Do pass as amended

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 384—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 854—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 883—Do pass

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.
NOES (0)—None.

AB 891—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.
NOES (0)—None.

AB 911—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Margett, McPherson, and Sher.
NOES (1)—Senator Romero.

Failed passage

AB 911—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1240—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Margett, McPherson, and Romero.
NOES (0)—None.

AB 1667—Do pass

AYES (2)—Senators Margett and McPherson.
NOES (2)—Senators Romero and Vasconcellos.

Failed passage

AB 1667—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1694—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Sher.
NOES (0)—None.

AB 1801—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.
NOES (0)—None.

AB 1826—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.
NOES (3)—Senators Burton, Sher, and Vasconcellos.

Failed passage

AB 1826—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1864—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1865—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (3)—Senators Romero, Sher, and Vasconcellos.

Failed passage

AB 1865—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1884—Do pass

AYES (2)—Senators Margett and McPherson.

NOES (0)—None.

Failed passage

AB 1884—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1894—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Sher.

NOES (0)—None.

AB 1901—Do pass

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 1907—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1931—Do pass

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 1937—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 1948—Do pass

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 1956—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2012—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Romero and Vasconcellos.

NOES (2)—Senators Margett and McPherson.

Failed passage

AB 2012—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2126—Do pass

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2160—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2237—Do pass as amended

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2531—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AJR 64—Be adopted

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 6/1/04

McPherson (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Dunn, Florez, and Oller.

The following Senator was granted leave of absence for the day due to personal business: Senator Murray.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, June 2, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIFTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, June 2, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Poochigian,
Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and
Vincent—37.

Quorum present.

(NOTE: Senators Florez and Murray will be excused this day on legislative business.)

APPOINTMENT OF COMMITTEE ON CONFERENCE

Mr. President: The Committee on Rules announces the appointment of Senators Chesbro, Alpert, and Johnson as a Senate Committee on Conference concerning AB 1749 to meet a like committee of the Assembly.

BURTON, Chair

REPORTS OF STANDING COMMITTEES

Committee on Public Safety

Date of Hearing, June 1, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AJR 64

Reports the same back with the recommendation: Be adopted.

McPHERSON, Chair

Above resolution ordered to third reading.

Date of Hearing, June 1, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 883 AB 1901 AB 1931

AB 1948 AB 2126

Reports the same back with the recommendation: Do pass.

McPHERSON, Chair

Above bills ordered to second reading.

Date of Hearing, June 1, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 891 AB 1937 AB 1956

AB 2160 AB 2531

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

McPHERSON, Chair

Above measures re-referred to the Committee on Appropriations.

Senate Chamber, June 2, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 2475 AB 3092

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2475—An act to add Section 5027 to the Penal Code, relating to corrections.

Bill read second time.

Assembly Bill 3092—An act to amend Section 308 of the Penal Code, relating to cigarettes.

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 2, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2439

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2439—An act to amend Section 115825 of, and to add Section 115843.5 to, the Health and Safety Code, relating to drinking water.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 2, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 2149

AB 2286

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 2149—An act to amend Sections 1538.2 and 1538.5 of, and to add Sections 1524.6 and 1538.6 to, the Health and Safety Code, relating to community care facilities.

Bill read second time.

Assembly Bill 2286—An act to add Section 49416 to the Education Code, relating to drugs.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Energy, Utilities and Communications

Senate Chamber, June 2, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 428

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 428—An act to add Section 367.6 to the Public Utilities Code, relating to energy resources.

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

Date of Hearing, June 2, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 1929

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

TORLAKSON, Chair

Above measure ordered to second reading.

Date of Hearing, June 2, 2004

Mr. President: The Committee on Local Government, to which were referred:

AB 2243

AB 2481

AB 2630

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

TORLAKSON, Chair

Above measures ordered to second reading.

Committee on Agriculture and Water Resources

Senate Chamber, June 2, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 1071

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 1071—An act to amend Section 19227 of, and to amend, repeal, and add Section 15061 of the Food and Agricultural Code, relating to commercial feed, 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 Housing and Community Development

Senate Chamber, June 2, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 868

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 868—An act to amend Sections 50710.1 and 50712.5 of the Health and Safety Code, relating to migrant farm labor centers.

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 2, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 2615

AB 1636

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2615—An act to amend Sections 78032 and 84040.6 of, and to repeal Sections 66755, 67359.16, 71020, and 81254 of, the Education Code, relating to public postsecondary education.

Bill read second time.

Assembly Bill 1636—An act to amend Section 49558 of the Education Code, relating to pupil records.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 2, 2004

Mr. President: The Committee on Education, to which were referred:

AB 2171

AB 2776

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.

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 2, 2004

Mr. President: The Committee on Education, to which was referred:

AB 2015

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Judiciary

Senate Chamber, June 2, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1000

AB 2089

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 1000—An act to amend Sections 1502 , 2117, 6210, and 8210 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 2089—An act to add Section 358.5 to the Family Code, relating to marriage.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Transportation

Senate Chamber, June 2, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

AB 1408

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 1408—An act to amend Section 21201 of, to add Section 298 to, and to repeal and add Sections 21202 and 21208 of, the Vehicle Code, relating to vehicles.

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 2, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 152

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 152—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56505.1, 56506, and 56863 of, to add Section 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education Code, relating to special education, and declaring the 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.

Committee on Health and Human Services

Senate Chamber, June 2, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 1655

AB 1913

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 1655—An act to add Sections 1798.210, 1798.211, and 1799.112 to the Health and Safety Code, relating to emergency medical services.

Bill read second time.

Assembly Bill 1913—An act to amend Section 319 of, to amend and repeal Section 309 of, and to repeal and amend Section 361.4 of, the Welfare and Institutions Code, relating to foster care.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 920—An act to amend Sections 1102.6a, 1102.17, and 1103.2 of the Civil Code, relating to real estate disclosures.

Bill read second time and ordered to third reading.

Assembly Bill 1818—An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

Bill read second time and ordered to third reading.

Assembly Bill 2182—An act to amend Section 6929 of the Family Code, relating to minors.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3081—An act to amend Sections 6202, 17083, and 17550.47 of the Business and Professions Code, to amend Section 47 of the Civil Code, to amend Sections 93, 94, 116.310, 116.770, 437c, 485.230, 708.020, 708.030, 1005, 1141.16, 1141.24, 1283.05, 1775.11, 1985.3, 1985.6, 1987.5, 1991.1, and 2093 of, to add Title 4 (commencing with Section 2016.010) to Part 4 of, and to repeal Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of, the Code of Civil Procedure, to amend Sections 45312, 87675, 87679, and 88131 of the Education Code, to amend Sections 915, 1156, 1156.1, and 1560 of the Evidence Code, to amend Sections 3110.5, 3666, and 4331 of the Family Code, to amend Sections 309 and 5934 of the Fish and Game Code, to amend Sections 6276.04, 11045, 11187, 11189, 11511, 12972, 18671, 68092.5, and 68616 of the Government Code, to amend Sections 5710 and 6613 of the Labor Code, to amend Sections 186.11, 1054.6, and 1524 of the Penal Code, to amend Sections 451 and 452 of the Probate Code, to amend Section 20104.4 of the Public Contract Code, to amend Sections 3357 and 3769 of the Public Resources Code, to amend Section 1794 of the Public Utilities Code, to amend Section 25110 of the Revenue and Taxation Code, to amend Section 3050.1 of the Vehicle Code, and to amend Section 1100 of the Water Code, relating to civil discovery.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1324—An act to add Section 3212.86 to the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Without objection **AB 1324** was re-referred to the Committee on Labor and Industrial Relations and **AB 1647** was re-referred to the Committee on Agriculture and Water Resources.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1583** was withdrawn from the Committee on Rules and re-referred to the Committee on Natural Resources and Wildlife;

and **AB 1847** was withdrawn from the Committee on Judiciary and re-referred to the Committee on Transportation.

SENATE COMMITTEE ROLL CALLS

Committee on Education

AB 72—Do pass as amended and re-refer to Committee on Health and Human Services

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 1820—Do pass, to Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 1925—Do pass as amended and re-refer to Committee on Rules

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2015—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2171—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2776—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

ACR 177—Be adopted as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Denham and McPherson.

NOES (0)—None.

Failed passage

ACR 177—Reconsideration granted

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

Date of Hearing: 6/2/04

Vasconcellos (Chair)

Committee on Local Government

AB 723—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Hollingsworth, Machado, Margett, Soto, and Torlakson.
NOES (0)—None.

AB 1929—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Hollingsworth, Machado, Margett, Soto, and Torlakson.
NOES (0)—None.

AB 2243—Do pass, to Consent Calendar

AYES (5)—Senators Hollingsworth, Machado, Margett, Soto, and Torlakson.
NOES (0)—None.

AB 2481—Do pass, to Consent Calendar

AYES (5)—Senators Hollingsworth, Machado, Margett, Soto, and Torlakson.
NOES (0)—None.

AB 2630—Do pass, to Consent Calendar

AYES (5)—Senators Hollingsworth, Machado, Margett, Soto, and Torlakson.
NOES (0)—None.

AB 2755—Do pass as amended and re-refer to Committee on Rules, with the recommendation: To Consent Calendar

AYES (5)—Senators Hollingsworth, Machado, Margett, Soto, and Torlakson.
NOES (0)—None.

AB 2782—Do pass as amended

AYES (5)—Senators Hollingsworth, Machado, Margett, Soto, and Torlakson.
NOES (0)—None.

Date of Hearing: 6/2/04

Torlakson (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Florez and Murray.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of Pfc. Daniel Paul Unger, of Exeter.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Aneta Siegel of Topanga Canyon.

June 2, 2004

SENATE JOURNAL

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ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, June 3, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED SIXTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, June 3, 2004

The Senate met at 9 a.m.
Hon. Dede Alpert, of the 39th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Morrow, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—31.

Quorum present.

(NOTE: Senators Burton, Florez, McPherson, Murray, Oller, Perata, and Poochigian will be excused this day on legislative business and Senator Bowen will be excused this day due to illness.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 3, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

SCR 82

E. DOTSON WILSON, Chief Clerk of the Assembly

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, June 2, 2004

Madam President: The Senate Rules Committee has made the following appointments to boards and commissions:

Appointed Armida Ornelas, Ph.D. of Montebello as a member of the Curriculum Development and Supplemental Materials Commission to serve for a term ending May 31, 2008.

Appointed Mary Hardy, M.D. of Los Angeles and Ms. Alexandra Cook of Corte Madera as members of the Bureau of Naturopathic Medicine Advisory Council. Dr. Hardy will serve for a term ending June 1, 2008 and Ms. Cook will serve for a term ending June 1, 2007.

Reappointed Mr. Bill Powers of Sacramento as a member of the Board of Pharmacy to serve for a term ending June 1, 2008.

Reappointed Cris Arzate of San Gabriel as a member of the Structural Pest Control Board to serve for a term ending June 1, 2008.

Appointed Ms. Kathleen Paley of Fresno as a member of the Tax Credit Allocation Committee to serve at the pleasure of the Rules Committee.

Appointed Ms. Linda Starr of Gold River as a member of the Veterinary Board to serve for a term ending June 1, 2008.

Appointed Mr. Joseph Breall of San Francisco as a member of the Transportation Advisory Committee to serve for a term ending June 2, 2008.

BURTON, Chair

State Capitol, June 2, 2004

Madam President: The Senate Rules Committee has appointed Senator Hollingsworth as a member of the Senate Committee on Revenue and Taxation and Senator Margett as a member of the Senate Committee on Veterans Affairs to fill existing vacancies.

The Senate Rules Committee has removed Senator Denham from the Senate Committee on Environmental Quality.

BURTON, Chair

Committee on Rules

State Capitol, June 2, 2004

The Committee on Rules has referred the following measures to committee:

Agriculture and Water Resources—AB 2054, AB 2717, AB 2925.

Banking, Commerce and International Trade—AB 1810, AB 2206.

Business and Professions—AB 1975, AB 2056, AB 2138, AB 2436, AB 2655, AB 2839.

Education—AB 1841, AB 1860, AB 1944, AB 1969, AB 2035, AB 2210, AB 2343, AB 2567, AB 2678, AB 2800, AB 2845, AB 2855, AB 2885, AB 2923, AB 2942.

Elections and Reapportionment—AB 2790.

Energy, Utilities and Communications—AB 1874, AB 2283, AB 2758, AB 2803, AB 2918.

Environmental Quality—AB 1873, AB 1906, AB 2042, AB 2176, AB 2277, AB 2701, AB 2814, AB 2883, AB 2884.

Governmental Organization—AB 1855, AB 2207, AB 3087.

Health and Human Services—AB 1794, AB 1796, AB 1821, AB 1876, AB 1963, AB 2145, AB 2179, AB 2205, AB 2281, AB 2285, AB 2629, AB 2632, AB 2679, AB 2720.

Housing and Community Development—AB 2348, AB 2533, AB 3022.

Insurance—AB 2389, AB 2904.

Judiciary—AB 1895, AB 1961, AB 2038, AB 2148, AB 2209, AB 2351, AB 2549, AB 2580, AB 2627, AB 2729, AB 2752, AB 2811, AB 2835, AB 2889.

Labor and Industrial Relations—AB 1918, AB 2350, AB 2545.

Local Government—AB 2031, AB 2055, AB 2558, AB 2676, AB 2783, AB 2805.

Natural Resources and Wildlife—AB 1982, AB 2146, AB 2155, AB 2517, AB 2830, AB 2911.

Public Employment and Retirement—AB 1852, AB 1875, AB 2232, AB 2234, AB 2275, AB 2680, AB 2681, AB 2894.

Public Safety—AB 1882, AB 1914, AB 1941, AB 1946, AB 2173, AB 2238, AB 2271, AB 2288, AB 2395, AB 2403, AB 2417, AB 2861, AB 2893, AB 2946.

Revenue and Taxation—AB 1886, AB 2328, AB 2857, AB 3072, AB 3075.

Rules—AB 2319, AB 2739, AB 2747.

Transportation—AB 477, AB 2024, AB 2032, AB 2041, AB 2043, AB 2128, AB 2606, AB 2823, AB 2848, AB 3047, AB 3049.

The Committee on Rules has referred the following measures to two committees:

Banking, Commerce and International Trade and Judiciary—AB 2921.

Business and Professions and Rules—AB 2682.

Education and Health and Human Services—AB 2504.

Energy, Utilities and Communications and Judiciary—AB 2799.

Environmental Quality and Transportation—AB 2906.
Governmental Organization and Natural Resources and Wildlife—
 AB 2994.
Health and Human Services and Public Safety—AB 2136.
Health and Human Services and Rules—AB 2151.
Judiciary and Business and Professions—AB 2261.
Labor and Industrial Relations and Rules—AB 1825.
Local Government and Judiciary—AB 2853.
Natural Resources and Wildlife and Transportation—AB 2222,
 AB 2666.
Public Safety and Health and Human Services—AB 2897.
Transportation and Judiciary—AB 2201, AB 2547.

The Committee on Rules has re-referred the following measures to committee:

Banking, Commerce and International Trade—AB 804.
Energy, Utilities and Communications—AB 1468.
Environmental Quality—AB 901.
Governmental Organization—AB 425.
Health and Human Services—AB 649.
Judiciary—AB 1155.
Local Government—AB 402.
Transportation and Rules—SB 1160.

State Capitol, June 3, 2004

The Committee on Rules has re-referred the following measures to two committees:

Environmental Quality and Judiciary—AB 2159.
Environmental Quality and Transportation—AB 2366.

Committee on Health and Human Services

Date of Hearing, June 2, 2004

Madam President: The Committee on Health and Human Services, to which were referred:

AB 939	AB 1299	AB 2026	AB 2127
AB 2352	AB 2496	AB 2550	AB 2795

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.

Date of Hearing, June 2, 2004

Madam President: The Committee on Health and Human Services, to which were referred:

AB 2049

AB 2301

AJR 33

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

ORTIZ, Chair

Above measures ordered to second reading.

Date of Hearing, June 2, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 750

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.

Date of Hearing, June 2, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 2749

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Public Safety with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure re-referred to the Committee on Public Safety.

Committee on Insurance

Date of Hearing, June 2, 2004

Madam President: The Committee on Insurance, to which was referred:

AB 1985

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

SPEIER, Chair

Above measure ordered to second reading.

Date of Hearing, June 2, 2004

Madam President: The Committee on Insurance, to which was referred:

AB 254

Reports the same back with the recommendation: Do pass.

SPEIER, Chair

Above bill ordered to second reading.

Date of Hearing, June 2, 2004

Madam President: The Committee on Insurance, to which was referred:

AB 1596

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measure ordered to second reading.

Date of Hearing, June 2, 2004

Madam President: The Committee on Insurance, to which was referred:

AB 1955

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.

SPEIER, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Judiciary

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Judiciary, to which was referred:

AB 2674

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 2674—An act to amend Section 8700 of the Family Code, relating to adoption.

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 1, 2004

Madam President: The Committee on Judiciary, to which was referred:

AB 1851

Reports the same back with the recommendation: Do pass as amended and be placed on the Consent Calendar.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 1, 2004

Madam President: The Committee on Judiciary, to which was referred: AB 1883

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 1, 2004

Madam President: The Committee on Judiciary, to which was referred: AB 1848

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 901

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 901—An act to amend Section 42464 of the Public Resources Code, relating to hazardous and solid waste.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 901 pursuant to Joint Rule 58.

ASSEMBLY MEMBER JACKSON

Permission of Rules Committee

Senate Chamber, June 3, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 901.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Education, to which were referred:

AB 1832

AB 2504

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1832—An act to add and repeal Section 35183.3 of the Education Code, relating to school uniforms.

Bill read second time.

Assembly Bill 2504—An act to add Section 49537 to the Education Code, relating to pupils.

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 Wildlife

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 2810

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 2810—An act to amend Section 4612 of the Public Resources Code, relating to forest resources.

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 1, 2004

Madam President: The Committee on Public Safety, to which was referred:

AB 2237

Reports the same back with the recommendation: Do pass as amended.

McPHERSON, Chair

Above measure ordered to second reading.

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Public Safety, to which were referred:

AB 20 AB 2431 AB 2527

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 20—An act to amend Sections 710, 765, 767, 1109, 1228, 1253, 1360, and 1380 of, and to add Section 177 to, the Evidence Code, and to amend Sections 288, 368, 502.9, 515, 525, 859.1, 861.5, 868.7, 939.21, 1347.5, 11166, and 13515 of, and to add Section 1127g to, the Penal Code, and to amend Section 15630 of the Welfare and Institutions Code, relating to crime.

Bill read second time.

Assembly Bill 2431—An act to amend Sections 12028, 12028.5, 12028.7, 12030, and 12084 of, and to add Section 12021.3 to, the Penal Code, and to repeal Section 8107 of the Welfare and Institutions Code, relating to firearms.

Bill read second time.

Assembly Bill 2527—An act to amend Section 290 of the Penal Code, relating to sex offender registration.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 262 AB 987

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 262—An act to add Section 56.268 to the Civil Code, relating to personal information.

Bill read second time.

Assembly Bill 987—An act to amend Section 42285.3 of the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

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 3, 2004

Madam President: The Chair of the Committee on Local Government, to which was referred:

AB 1268

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1268—An act to add Section 65302.4 to 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 Housing and Community Development

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 3032

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3032—An act to amend Sections 8875.8 and 8875.9 of the Government Code, relating to seismic safety.

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 3, 2004

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 2643

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 2643—An act to add Section 25314 to the Public Resources Code, relating to energy.

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 3, 2004

Madam President: The Chair of the Committee on Rules, to which was referred:

AB 3084

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3084—An act relating to tribal gaming.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2679

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 2679—An act to amend Section 14007.9 of the Welfare and Institutions Code, relating to Medi-Cal.

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

Date of Hearing, June 2, 2004

Madam President: The Committee on Local Government, to which was referred:

AB 2755

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules with the recommendation: To Consent Calendar.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 2, 2004

Madam President: The Committee on Education, 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 Rules.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 2491

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2491—An act to amend Sections 22971, 22974.7, 22979, 22979.4, and 22980.2 of, and to add Sections 22978.8 and 22983 to, the Business and Professions Code, and to amend Section 30211 of, and to add Section 30436.1 to, the Revenue and Taxation Code, relating to tobacco products.

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 3, 2004

Madam President: The Chair of the Committee on Judiciary, to which was referred:

AB 2129

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 2129—An act to amend Section 10139.5 of the Insurance Code, relating to structured settlements.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 3, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 1986

AB 2429

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 1986—An act to amend and repeal Section 361.4 of the Welfare and Institutions Code, relating to dependent children.

Bill read second time.

Assembly Bill 2429—An act to amend Section 1375.7 of the Health and Safety Code, relating to health care service plans.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 883—An act to add Section 1550.1 to the Evidence Code, and to add Section 11106.3 to the Penal Code, relating to records.

Bill read second time and ordered to third reading.

Assembly Bill 1901—An act to amend Section 1203.1abc of the Penal Code, relating to criminal offenders.

Bill read second time and ordered to third reading.

Assembly Bill 1931—An act to amend Section 830.1 of the Penal Code, relating to peace officers.

Bill read second time and ordered to third reading.

Assembly Bill 1948—An act to amend Section 740 of the Welfare and Institutions Code, relating to wards.

Bill read second time and ordered to third reading.

Assembly Bill 2126—An act to amend Section 11112.4 of the Penal Code, relating to crime prevention.

Bill read second time and ordered to third reading.

Assembly Bill 1929—An act to amend Section 53270 of the Government Code, relating to firefighters.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2243—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2481—An act to amend Section 63021.5 of the Government Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2630—An act to amend Section 101850 of the Health and Safety Code, relating to public health.

Bill read second time and ordered to Consent Calendar.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1462—An act to amend Section 50517.5 of the Health and Safety Code, relating to farmworker housing.

Bill read third time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1462 pursuant to Joint Rule 58.

ASSEMBLY MEMBER SALINAS

Permission of Rules Committee

Senate Chamber, June 3, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1462.

BURTON, Chair

Amendments Adopted

Amendments to AB 1462 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

UNANIMOUS CONSENT GRANTED TO RESCIND ACTION (AB 800)

Without objection, unanimous consent was granted that the action be rescinded whereby AB 800 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 800

Assembly Bill 800—An act to amend Section 1785.25 of the Civil Code, relating to consumer credit.

Bill read.

Motion to Amend

Amendments to AB 800 proposed by Senator Kuehl were read and adopted and the measure ordered printed and re-referred to the Committee on Rules.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 2756 to be heard in the Committee on Education on June 7 without four days notice in the file.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1546** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Revenue and Taxation; and

AB 1592 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Health and Human Services

AB 493—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 750—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 857—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Aanestad, Alarcón, Escutia, Figueroa, Kuehl, Romero, Vasconcellos, and Vincent.

NOES (1)—Senator Ashburn.

AB 939—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 1299—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2026—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2049—Do pass, to Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2127—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2301—Do pass, to Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2352—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2496—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2550—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2749—Do pass and re-refer to Committee on Public Safety, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2795—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2876—Do pass as amended and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AJR 33—Do pass, to Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AJR 54—Do pass as amended, to Consent Calendar

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

Date of Hearing: 6/2/04

Ortiz (Chair)

Committee on Insurance

AB 254—Do pass

AYES (8)—Senators Denham, Escutia, Figueroa, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 1596—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Escutia, Figueroa, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 1728—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Escutia, Figueroa, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 1955—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Denham, Escutia, Figueroa, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 1985—Do pass, to Consent Calendar

AYES (8)—Senators Denham, Escutia, Figueroa, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 2384—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Escutia, Figueroa, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 2490—Do pass as amended

AYES (8)—Senators Denham, Escutia, Figueroa, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 2557—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Escutia, Figueroa, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

Date of Hearing: 6/2/04

Speier (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Burton, Florez, McPherson, Murray, Oller, Perata, and Poochigian.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Jill R. Nelson of Sacramento.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Mrs. Helen S. Sansui of Arcadia.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 10:30 a.m., Monday, June 7, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED SEVENTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, June 7, 2004

The Senate met at 10:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—38.

Quorum present.

(NOTE: Senator Escutia will be excused this day due to illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Almighty God, As we pause before You this morning, our hearts are filled with the memories of those heroes, the pride of our nation, who, on that fateful day so many years ago set upon a mighty endeavor: a struggle to preserve our republic, our religion, and our civilization. Men and women whom You saw fit to call out of their ordinariness, who became heroes in the fight to liberate a suffering humanity, who, trusting in Your grace, would not be denied.

So too, we pause to remember Ronald Reagan, a man who in many ways epitomizes the myth of the American dream. A man who rose from humble beginnings to become both Governor of this great state and the President of the United States. May the example of his life, as well as the lives of all who are called to defend the Constitution of this great nation be an inspiration to every American in every time and place. And may his soul and the souls of all the faithful departed rest in Your eternal triumph and peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator McPherson led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 3, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 2756

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules for assignment:

Assembly Bill 2756—An act to amend Sections 33127, 33128, 41320.1, 41326, 41326.1, 41327, 41328, 41474, 42127, 42127.1, 42127.6, and 42127.8 of, and to add Sections 41327.1, 41327.2, and 42101 to, the Education Code, and to amend Sections 3540.2, 3547.5, and 53260 of the Government Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, June 7, 2004

The Committee on Rules has referred the following measure to committee:

Education—AB 2756.

Committee on Health and Human Services

Senate Chamber, June 7, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2136

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 2136—An act to amend Section 11880 of, and to add Section 11880.5 to, the Health and Safety Code, relating to controlled substances.

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 1, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 1694 AB 1801 AB 1907

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Housing and Community Development

Senate Chamber, June 7, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 2533

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2533—An act to amend Section 8875.8 of the Government Code, relating to seismic safety.

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 7, 2004

Mr. President: The Chair of the Committee on Local Government, to which were referred:

AB 969 AB 2634 AB 2805

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 969—An act to add and repeal Chapter 2.1 (commencing with Section 15372.10) of Part 6.7 of Division 3 of Title 2 of the Government Code, relating to economic development.

Bill read second time.

Assembly Bill 2634—An act to amend Section 56375.5 of the Government Code, relating to local government organization.

Bill read second time.

Assembly Bill 2805—An act to add Section 33333.12 to the Health and Safety Code, relating to redevelopment.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, June 2, 2004

Mr. President: The Committee on Education, to which was referred:

AB 1820

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, June 7, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 2346

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2346—An act to add and repeal Article 11.5 (commencing with Section 18825) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, June 7, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 1725

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 1725—An act to amend Section 12847 of the Food and Agricultural Code, relating to pest control.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Transportation

Senate Chamber, June 7, 2004

Mr. President: The Chair of the Committee on Transportation, to which were referred:

AB 517

AB 3050

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 517—An act to amend Section 21455.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 3050—An act to amend Section 188.10 of the Streets and Highways Code, relating to transportation.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 7, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 2464

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 2464—An act to amend Sections 3013, 3014, 3016, 3018, 3019, and 3070 of, to add Section 3071 to, and to repeal Sections 3015, 3020, and 3022 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 Health and Human Services

Date of Hearing, June 2, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 493

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, June 2, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 857

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Local Government

Senate Chamber, June 7, 2004

Mr. President: The Chair of the Committee on Local Government, to which was referred:

AB 2853

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2853—An act to amend Sections 27131, 27297.5, 53646, and 71380 of the Government Code, to amend Section 853.6 of the Penal Code, to amend Section 63.1 of the Revenue and Taxation Code, and to amend Section 21401 of the Vehicle Code, relating to local government expenses, and declaring the 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 ASSEMBLY BILLS**

Assembly Bill 2049—An act to add Article 4.5 (commencing with Section 123620) to Chapter 2 of Part 2 of Division 106 of the Health and Safety Code, relating to maternal and child health.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2301—An act to amend Section 16915 of the Welfare and Institutions Code, relating to health care.

Bill read second time and ordered to Consent Calendar.

Assembly Joint Resolution 33—Relative to Taiwan and the World Health Organization.

Resolution read second time and ordered to Consent Calendar.

Assembly Bill 1985—An act to amend Section 1871.3 of the Insurance Code, relating to insurance claims.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 254—An act to amend Section 1373.621 of the Health and Safety Code, and to amend Section 10116.5 of the Insurance Code, relating to health.

Bill read second time and ordered to third reading.

Assembly Bill 1596—An act to amend Sections 1363.07, 1373.65, and 1373.96 of the Health and Safety Code, and to amend Sections 10113.8 and 10133.56 of the Insurance Code, relating to health care coverage.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1851—An act to amend Sections 3412, 3413, 3600, 3601, 3602, 3603, 3604, 3610, 3611, and 3612 of, and to add Section 3613 to, the Probate Code, relating to incapacity.

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 1883—An act to amend Section 15602 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 1848—An act to amend Section 18100.5 of, and to add Sections 18105, 18106, 18107, and 18108 to, 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 re-referred to the Committee on Appropriations.

Assembly Bill 2237—An act to amend Section 22348 of the Vehicles Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2755—An act to add Section 7.3 to the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session), relating to the Ventura County Watershed Protection District.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 1925—An act to amend Section 51938 of the Education Code, relating to instruction.

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 Rules.

Assembly Bill 1462—An act to amend Sections 50517.5, 50517.11, and 50650.3 of the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Thursday, May 10:

AB 920	AJR 64	AB 1901	AB 1948
AB 2126	AB 254	AB 1883	AB 883

MOMENT OF SILENCE

Without objection Senator Burton asked for a moment of silence to honor President Ronald Reagan who passed away on June 5, 2004.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 81** and **AJR 79** were withdrawn from committee and placed on the Special Consent Calendar to be taken up today.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1592** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations;

AB 262 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

AB 2129 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules; and

AB 2275 was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committee on Rules.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 61 to be heard in the Committee on Education without four days notice in the Daily File.

Senator Romero Presiding**CONSIDERATION OF DAILY FILE (RESUMED)
CONSENT CALENDAR**

Assembly Bill 2182—An act to amend Section 6929 of the Family Code, relating to minors.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3081—An act to amend Sections 6202, 17083, and 17550.47 of the Business and Professions Code, to amend Section 47 of the Civil Code, to amend Sections 93, 94, 116.310, 116.770, 437c, 485.230, 708.020, 708.030, 1005, 1141.16, 1141.24, 1283.05, 1775.11, 1985.3, 1985.6, 1987.5, 1991.1, and 2093 of, to add Title 4 (commencing with Section 2016.010) to Part 4 of, and to repeal Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of, the Code of Civil Procedure, to amend Sections 45312, 87675, 87679, and 88131 of the Education Code, to amend Sections 915, 1156, 1156.1, and 1560 of the Evidence Code, to amend Sections 3110.5, 3666, and 4331 of the Family Code, to amend Sections 309 and 5934 of the Fish and Game Code, to amend Sections 6276.04, 11045, 11187, 11189, 11511, 12972, 18671, 68092.5, and 68616 of the Government Code, to amend Sections 5710 and 6613 of the Labor Code, to amend Sections 186.11, 1054.6, and 1524 of the Penal Code, to amend Sections 451 and 452 of the Probate Code, to amend Section 20104.4 of the Public Contract Code, to amend Sections

3357 and 3769 of the Public Resources Code, to amend Section 1794 of the Public Utilities Code, to amend Section 25110 of the Revenue and Taxation Code, to amend Section 3050.1 of the Vehicle Code, and to amend Section 1100 of the Water Code, relating to civil discovery.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 81—Relative to the California Task Force on Youth and Workplace Wellness.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 79—Relative to corporate elections.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

REMEMBERING PRESIDENT RONALD REAGAN

The Senators rose to honor and remember the life and legacy of President Ronald Reagan.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to illness: Senator Escutia.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 11:45 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, June 8, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 7, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 1225 SB 1408 SB 1707

Above measures ordered enrolled.

Assembly Chamber, June 7, 2004

Madam President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 1021

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, June 7, 2004

*The Honorable Greg Schmidt
Secretary of the Senate*

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 539 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measure ordered held at Desk.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Date of Hearing, June 2, 2004

Madam President: The Committee on Local Government, to which was referred:

AB 723

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 7, 2004

Madam President: The Committee on Education, to which was referred:

AB 2756

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Environmental Quality

Senate Chamber, June 7, 2004

Madam President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 1466

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1466—An act to repeal Title 7.9 (commencing with Section 68055) of the Government Code, and to add Chapter 5.3 (commencing with Section 42250) and 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.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Insurance

Senate Chamber, June 7, 2004

Madam President: The Chair of the Committee on Insurance, to which were referred:

AB 1297

AB 2185

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1297—An act to amend Sections 1623 and 1662 of, and to add Sections 1731.2 and 1731.5 to, the Insurance Code, relating to insurance.

Bill read second time.

Assembly Bill 2185—An act to add Section 1367.06 to the Health and Safety Code, relating to health care coverage.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, June 7, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 358

AB 753

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 358—An act to amend Sections 1419, 1420, and 1422 of the Health and Safety Code, relating to health facilities.

Bill read second time.

Assembly Bill 753—An act relating to state agencies.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 753 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LESLIE

Permission of Rules Committee

Senate Chamber, June 7, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 753.

BURTON, Chair

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, June 7, 2004

Madam President: The Committee on Rules has examined:

SCR 82

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 7th day of June, 2004, at 11 a.m.

BURTON, Chair

Committee on Agriculture and Water Resources

Senate Chamber, June 7, 2004

Madam President: The Chair of the Committee on Agriculture and Water Resources, to which were referred:

AB 2074

AB 2470

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 2074—An act to amend Section 4505 of the Food and Agricultural Code, relating to fairs.

Bill read second time.

Assembly Bill 2470—An act to amend Section 2079.10 of the Civil Code, and to amend Section 375.5 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 Insurance

Date of Hearing, June 2, 2004

Madam President: The Committee on Insurance, to which was referred:
AB 2557

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measure ordered to second reading.

Committee on Transportation

Senate Chamber, June 7, 2004

Madam President: The Chair of the Committee on Transportation, to which were referred:

AB 1878

AB 3047

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 1878—An act to amend Sections 407.5, 12500, 12509, 12804.9, 21225, and 21235 of, and to add Section 21226 to, the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 3047—An act to amend Section 470 of the Streets and Highways Code, and to amend Section 5201 of the Vehicle Code, relating to transportation.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, June 7, 2004

Madam President: The Chair of the Committee on Rules, to which was referred:

AB 3031

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 3031—An act to add Section 61813 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 Business and Professions

Senate Chamber, June 7, 2004

Madam President: The Chair of the Committee on Business and Professions, to which was referred:

AB 2390

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 2390—An act to amend Sections 1657 and 1800 of the Business and Professions Code, relating to the 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 Environmental Quality

Date of Hearing, June 7, 2004

Madam President: The Committee on Environmental Quality, to which was referred:

AB 2342

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Health and Human Services.

SHER, Chair

Above measure re-referred to the Committee on Health and Human Services.

Date of Hearing, June 7, 2004

Madam President: The Committee on Environmental Quality, to which was referred:

AB 3040

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SHER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 7, 2004

Madam President: The Committee on Environmental Quality, to which were referred:

AB 430

AB 2877

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.

SHER, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Health and Human Services

Date of Hearing, June 2, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AJR 54

Reports the same back with the recommendation: Be adopted as amended and be placed on the Consent Calendar.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, June 2, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 2876

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure ordered to second reading.

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 85: By Senator Burton—Relative to the California Veterans' Home at Lancaster.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 438** was re-referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT (AB 421)

Senator Torlakson asked for, and was granted, unanimous consent that AB 421 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 421

Assembly Bill 421—An act to add and repeal Article 3.5 (commencing with Section 97.7) of Part 0.5 of Division 1 of, and to repeal

Section 97.68 of, the Revenue and Taxation Code, relating to local government finance.

Bill read second time.

Motion to Amend

Amendments to AB 421 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Education

AB 2756—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Vasconcellos, and Vincent.

NOES (0)—None.

Date of Hearing: 6/7/04

Vasconcellos (Chair)

Committee on Environmental Quality

AB 389—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 430—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2342—Do pass and re-refer to Committee on Health and Human Services

AYES (5)—Senators Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2528—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2877—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 3040—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

Date of Hearing: 6/7/04

Sher (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Aanestad requested that when the Senate adjourns this day it do so in memory of Coleen Jarvis of Chico.

Senator Burton requested that when the Senate adjourns this day it do so in memory of Dominic Carbonaro of Downers Grove, IL.

Senator Cedillo requested that when the Senate adjourns this day it do so in memory of Victor Ruether of Washington, D.C.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Stanley Smith of South Paris, Maine.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Camila Labor Carido of Stockton.

Senator Oller requested that when the Senate adjourns this day it do so in memory of Kim Messing Estrada of Pioneer.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Justin James "Duke" DuCray of Sacramento.

Senator Soto requested that when the Senate adjourns this day it do so in memory of CHP Officer James Goodman of Redlands and Sgt. Jorge A. Molina (USMC) of Rialto.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, June 8, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED EIGHTEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 8, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, Vasconcellos, and Vincent—37.

Quorum present.

(NOTE: Senator Speier will be excused this day on legislative business and Senator Bowen will be excused this day due to illness.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 7, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

SJR 16

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, June 7, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

AJR 87

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Joint Resolution 87—Relative to the Employee Free Choice Act.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture and Water Resources

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 2717

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 2717—An act to add Section 65591.1 to the Government Code, relating to water conservation.

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 8, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 598

AB 1550

AB 2800

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 598—An act relating to libraries, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1550—An act relating to public education.

Bill read second time.

Assembly Bill 2800—An act to amend and renumber Sections 66400, 66401, 66402, 66403, 66404, and 66405 of, to add Article 14 (commencing with Section 32440) to Chapter 3 of Part 19 of, and to repeal the heading of Chapter 6 (commencing with Section 66400) of Part 40 of, the Education Code, relating to academic materials.

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

Date of Hearing, June 2, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 2782

Reports the same back with the recommendation: Do pass as amended.

TORLAKSON, Chair

Above measure ordered to second reading.

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Local Government, to which was referred:

AB 2306

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2306—An act to amend Section 56376.5 of the Government Code, relating to local agency reorganization.

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 8, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 1369

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1369—An act to add and repeal Section 1569.7 of the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Insurance

Date of Hearing, June 2, 2004

Mr. President: The Committee on Insurance, to which were referred:

AB 1728

AB 2384

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measures ordered to second reading.

Date of Hearing, June 2, 2004

Mr. President: The Committee on Insurance, to which was referred:

AB 2490

Reports the same back with the recommendation: Do pass as amended.

SPEIER, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Date of Hearing, June 7, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 162

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, June 8, 2004

Mr. President: The Committee on Rules has examined:

SB 1225

SB 1408

SB 1707

And reports that the same have been correctly enrolled, and presented to the Governor on the 8th day of June, 2004, at 11:30 a.m.

BURTON, Chair

Committee on Insurance

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Insurance, to which was referred:

AB 2684

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2684—An act to amend Section 10174 of the Insurance Code, relating to health insurance.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which were referred:

AB 2007

AB 2691

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 2007—An act to amend Sections 7632 and 12028 of the Business and Professions Code, and to amend Section 1749.5 of the Civil Code, relating to business.

Bill read second time.

Assembly Bill 2691—An act to amend Sections 22443.1 and 22443.3 of, and to repeal Section 22442.4 of the Business and Professions Code, relating to immigration consultants.

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 Wildlife

Date of Hearing, June 8, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which were referred:

AB 2337

AJR 47

Reports the same back with the recommendation: Do pass.

KUEHL, Chair

Above bill ordered to second reading.

Above resolution ordered to third reading.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which were referred:

AB 1984

AB 2518

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 Local Government

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Local Government, to which was referred:

AB 1903

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1903—An act to add Section 65008.7 to 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 Public Employment and Retirement

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which were referred:

AB 2233

AB 2408

AB 3008

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 2233—An act to amend Sections 22663, 22705.5, 22714, 23203, 24114, 24221, and 44987 of the Education Code, relating to state teachers' retirement.

Bill read second time.

Assembly Bill 2408—An act to amend Sections 7294, 7299.4, and 7299.6 of, and to add Sections 7299.7 and 7299.75 to, the Government Code, relating to bilingual services.

Bill read second time.

Assembly Bill 3008—An act to add Sections 31485.11 and 31646.6 to the Government Code, relating to county employees' retirement.

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 8, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 3064

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3064—An act to add Section 66020 to the Education Code, relating to public 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 8, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 57

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 57—An act to amend Section 11055 of the Health and Safety Code, relating to controlled substances.

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 1, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 854

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Date of Hearing, June 1, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AB 141

Reports the same back with the recommendation: Do pass as amended.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Transportation

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Transportation, to which were referred:

AB 712 AB 2139 AB 2628 ACR 133

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 712—An act to amend Sections 132400, 132410, and 132415 of, and to amend the heading of Chapter 6 (commencing with Section 132400) of Division 12.7 of, the Public Utilities Code, relating to transportation.

Bill read second time.

Assembly Bill 2139—An act to amend Sections 27315, 27360, 27360.5, 27361, 27362, and 27365 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2628—An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Concurrent Resolution 133—Relative to the Oceanside Police Officer Tony Zeppetella Memorial Highway.

Resolution read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which were referred:

AB 445 AB 2004

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 445—An act to add and repeal Article 6 (commencing with Section 4998.90) of Chapter 14 of Division 2 of the Business and Professions Code, relating to social workers.

Bill read second time.

Assembly Bill 2004—An act to repeal and add Section 4532 of the Business and Professions Code, relating to psychiatric technicians.

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 8, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2897

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Health and Human Services.

McPHERSON, Chair

Above measure re-referred to the Committee on Health and Human Services.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 1920 AB 2829

Reports the same back with the recommendation: Do pass.

McPHERSON, Chair

Above bills ordered to second reading.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 1260 AB 1432 AB 1941 AB 1946
AB 2037 AB 2238 AB 2475 AB 2893

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

McPHERSON, Chair

Above measures re-referred to the Committee on Appropriations.

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 1530

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1530—An act to amend Sections 3412, 3415, 3417, 3418, and 3419 of the Penal Code, relating to prisoners.

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 8, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2946

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, June 7, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 710

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 3022

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 3022—An act to amend Sections 50781 and 50784 of the Health and Safety Code, relating to housing, 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 Local Government

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Local Government, to which were referred:

AB 955 AB 1075 AB 2031 AB 2055

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 955—An act to amend Section 65352 of the Government Code, relating to land use.

Bill read second time.

Assembly Bill 1075—An act to add Section 15202.3 to the Government Code, relating to law enforcement expenses.

Bill read second time.

Assembly Bill 2031—An act to amend Section 26614 of the Government Code, relating to search and rescue.

Bill read second time.

Assembly Bill 2055—An act to amend Sections 65302, 65560, 65561, 65562, 65564, 65566, and 65567 of, and to add Section 65565 to, the Government Code, relating to land use.

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 8, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 99

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 99—An act to add Chapter 5.8 (commencing with Section 13849) to Title 6 of Part 4 of the Penal Code, relating to high technology crimes

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Revenue and Taxation

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 1283

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1283—An act to add and repeal Article 17 (commencing with Section 18881) of Chapter 3 of Part 10.2 of Division 2 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, June 2, 2004

Mr. President: The Committee on Education, to which was referred:

AB 72

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Health and Human Services.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Transportation

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

ACR 152

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 Concurrent Resolution 152—Relative to Michael Evanhoe Interchange.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Senate Chamber, June 8, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

AB 2085

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 2085—An act to amend Section 369b of the Penal Code, relating to vehicles.

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 ASSEMBLY BILLS**

Assembly Bill 1694—An act to add Section 160 to the Penal Code, relating to bail services.

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 1801—An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

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 451.5 of the Penal Code, relating to arson.

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 1820—An act to add and repeal Section 37700.1 of the Education Code, relating to schooldays.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 493—An act to add Section 6608.5 to the Welfare and Institutions Code, relating to sexually violent predators, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 857—An act to add and repeal Part 4 (commencing with Section 1000) of Division 1 of the Health and Safety Code, relating to autism.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 723—An act to add Chapter 2.6 (commencing with Section 53369) to Part 1 of Division 2 of Title 5 of, and to add Article 5.5 (commencing with Section 63047.50) to Chapter 2 of Title 6.7 of, the Government Code, relating to jobs-housing opportunity zones.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2557—An act to amend Sections 1633 and 1749.1 of, and to add Section 1729.2 to, the Insurance Code, relating to insurance licensing.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Joint Resolution 54—Relative to the federal Medicaid assistance percentage.

Resolution read second time.

The amendments proposed by the Committee on Rules were read and adopted and the measure ordered printed and to Consent Calendar.

Assembly Bill 2876—An act to add Section 128766 to the Health and Safety Code, relating to health facilities.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 2684** was withdrawn from the Committee on Insurance and re-referred to the Committee on Rules;

AB 2783 was withdrawn from the Committee on Local Government and re-referred to the Committee on Rules;

AB 2029 was withdrawn from the Committee on Education and re-referred to the Committee on Rules;

AB 358 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

AB 1725 was withdrawn from the Committee on Agriculture and Water Resources and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Natural Resources and Wildlife

SJR 30—Committee amendments

AYES (7)—Senators Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

SJR 30—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alpert, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 1984—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alpert, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2072—Committee amendments

AYES (4)—Senators Denham, Hollingsworth, Kuehl, and Ortiz.

NOES (0)—None.

AB 2072—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alpert, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2337—Do pass

AYES (6)—Senators Alpert, Denham, Kuehl, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2388—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alpert, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2518—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alpert, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2810—Do pass as amended and re-refer to Committee on Rules

AYES (7)—Senators Alpert, Denham, Hollingsworth, Kuehl, Ortiz, Sher, and Torlakson.

NOES (1)—Senator Oller.

AJR 47—Do pass

AYES (6)—Senators Alpert, Denham, Kuehl, Ortiz, Sher, and Torlakson.

NOES (2)—Senators Hollingsworth and Oller.

Date of Hearing: 6/8/04

Kuehl (Chair)

Committee on Public Safety**AB 1260**—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Sher.

NOES (1)—Senator Vasconcellos.

AB 1432—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Sher.

NOES (1)—Senator Vasconcellos.

AB 1493—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Sher.

NOES (1)—Senator Vasconcellos.

AB 1814—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1882—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (0)—None.

Failed passage

AB 1882—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1914—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, McPherson, Romero, Sher, and Vasconcellos.

NOES (1)—Senator Margett.

AB 1920—Do pass

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1941—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1946—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2037—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2078—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (0)—None.

Failed passage

AB 2078—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2219—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (2)—Senators Romero and Sher.

Failed passage

AB 2219—Reconsideration granted

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2238—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Sher, and Vasconcellos.

NOES (0)—None.

AB 2431—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2475—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2586—Do pass as amended

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2829—Do pass

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2893—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, Margett, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2895—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2897—Do pass and re-refer to Committee on Health and Human Services

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2946—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 3092—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Burton, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AJR 56—Be adopted as amended

AYES (4)—Senators McPherson, Romero, Sher, and Vasconcellos.

NOES (1)—Senator Margett.

Date of Hearing: 6/8/04

McPherson (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Speier.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

REQUEST TO ADJOURN IN MEMORIAM

Senator McClintock requested that when the Senate adjourns this day it do so in memory of Florence "Betty" Vose of Santa Clarita.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, June 9, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED NINETEENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, June 9, 2004

The Senate met at 9 a.m.
Hon. John L Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton,
Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,
Poochigian, Romero, Scott, Soto, Speier, Torlakson, Vasconcellos, and
Vincent—37.

Quorum present.

*(NOTE: Senator Sher will be excused this day due to a family illness and
Senator Bowen will be excused this day due to illness.)*

REPORTS OF STANDING COMMITTEES
Committee on Agriculture and Water Resources

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Agriculture and Water
Resources, to which were referred:

AB 1006 AB 1647

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 1006—An act to add Section 17615 to the Education Code, relating to pesticide.

Bill read second time.

Assembly Bill 1647—An act to add Section 1229 to 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 Judiciary

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 252

AB 2092

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ES CUTIA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 252—An act to amend Section 7634 of, to add Section 7635.5 to, and to add Article 1.5 (commencing with Section 7645) to Chapter 4 of Part 3 of Division 12 of, the Family Code, relating to paternity.

Bill read second time.

Assembly Bill 2092—An act to add Section 1798.83.5 to the Civil Code, relating to credit to minors.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2089

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

ES CUTIA, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 3016

Reports the same back with the recommendation: Do pass.

ES CUTIA, Chair

Above bill ordered to second reading.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 1264

AB 3082

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Public Safety

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 2861

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2861—An act to amend Sections 4017.1 and 5071 of the Penal Code, relating to sentenced persons.

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 8, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 1356

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VINCENT, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 2164

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

VINCENT, Chair

Above measure ordered to second reading.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 2719

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary with the recommendation: To Consent Calendar.

VINCENT, Chair

Above measure re-referred to the Committee on Judiciary.

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which were referred:

AB 2296

AB 2927

AB 3043

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2296—An act to repeal and add Section 24015 of the Business and Professions Code, relating to alcoholic beverage control.

Bill read second time.

Assembly Bill 2927—An act to amend Sections 24045.2, 24045.3, 24045.4, 24045.6, 24045.9, and 24045.15 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 3043—An act to amend Section 24045.1 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which were referred:

AB 2193

AB 3023

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 2193—An act to amend Sections 22706 and 22708 of the Business and Professions Code, relating to tanning facilities.

Bill read second time.

Assembly Bill 3023—An act to add Section 683 to the Business and Professions Code, relating to healing arts.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Local Government

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Local Government, to which was referred:

AB 1268

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 1268—An act to add Section 65302.4 to 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 Appropriations

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1314

AB 1362

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 1314—An act to amend Section 290 of, to amend and repeal Section 290.4 of, to add Section 290.45 to, the Penal Code, relating to sex offenders.

Bill read second time.

Assembly Bill 1362—An act to add Section 4850.2 to the Labor Code, relating to workers’ compensation.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2629

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 2629—An act to add Section 1566.75 to the Health and Safety Code, relating to community care facilities.

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 9, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 621

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 621—An act to add and repeal Article 2.7 (commencing with Section 11595) to Chapter 1 of Part 3 of the Insurance Code, relating to health services.

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 9, 2004

Mr. President: The Chair of the Committee on Local Government, to which were referred:

AB 1936 AB 2318 AB 3065 AB 3077

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1936—An act to add Chapter 6 (commencing with Section 51960) to Part 2 of Division 1 of Title 5 of the Government Code, to amend Section 50826 of the Health and Safety Code, to amend Section

4127 of the Public Resources Code, and to amend Section 2400 of the Vehicle Code, relating to local government organization.

Bill read second time.

Assembly Bill 2318—An act to add Section 36525 to the Government Code, relating to cities.

Bill read second time.

Assembly Bill 3065—An act to amend Section 65302 of, and to repeal and add Section 65302.5 of, the Government Code, and to repeal Section 4128.5 of the Public Resources Code, relating to general plans.

Bill read second time.

Assembly Bill 3077—An act to amend Sections 54975, 56036, 56077, 56337, 56375.5, 56810, 57025, 57120, 57125, and 57126 of the Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local government reorganization.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Elections and Reapportionment

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Elections and Reapportionment, to which were referred:

AB 714 AB 1784 AB 1785

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 714—An act to amend Sections 12223 and 18403 of, to amend and renumber Section 22000 of, to add Division 22 (commencing with Section 22000) to, and to repeal Article 3 (commencing with Section 2050) of Chapter 1 of Division 2, Sections 12280, 13304, and 14282, and Article 2.5 (commencing with Section 19225) of Chapter 2 of Division 19 of, the Elections Code, relating to voting.

Bill read second time.

Assembly Bill 1784—An act to amend Section 86205 of, and to add Sections 86119 and 89518.5 to, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1785—An act to amend Section 86205 of, and to add Section 86119 to, the Government Code, relating to the Political Reform Act of 1974.

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 9, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 73

AB 129

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 73—An act to add Section 4003 to the Financial Code, relating to unsolicited checks.

Bill read second time.

Assembly Bill 129—An act to amend Sections 241.1, 387, and 11401 of, and to add Sections 241.2 and 366.5 to, the Welfare and Institutions Code, relating to the juvenile court.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 3056

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 3056—An act to add Section 12317 to the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 3056 pursuant to Joint Rule 58.

ASSEMBLY MEMBER VARGAS

Permission of Rules Committee

Senate Chamber, June 9, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 3056.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 164	AB 242	AB 1465	AB 1696
AB 1860	AB 2477	AB 2841	

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 164—An act relating to the Fairfield-Suisun Unified School District, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 242—An act relating to teachers.

Bill read second time.

Assembly Bill 1465—An act relating to school facilities.

Bill read second time.

Assembly Bill 1696—An act to amend Section 60041 of the Education Code, and to amend Section 71304 of the Public Resources Code, relating to instructional materials.

Bill read second time.

Assembly Bill 1860—An act to amend Sections 47601 and 47605 of the Education Code, relating to charter schools.

Bill read second time.

Assembly Bill 2477—An act to add Section 66406 to the Education Code, relating to public postsecondary education.

Bill read second time.

Assembly Bill 2841—An act to amend Sections 5019, 35531, 35542, 35555, 35565, 35566, 35709, 35710, 35710.5, 35722, 35753, and 35765 of, and to add Sections 35517 , 35710.1, 35736.5, and 35784.5 to, the

Education Code, and to amend Sections 54901 and 54902 of, and to repeal Section 54903.1 of, the Government Code, relating to school districts.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Education, to which was referred:

AJR 68

Reports the same back with the recommendation: Be adopted.

VASCONCELLOS, Chair

Above resolution ordered to third reading.

Committee on Public Safety

Date of Hearing, June 1, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 384

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 1249

AB 2173

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1249—An act to amend Section 1560 of the Evidence Code and Section 1326 of the Penal Code, relating to subpoenas.

Bill read second time.

Assembly Bill 2173—An act to add Section 23593 to 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 Education

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 56

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 56—An act relating to child preschool programs.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2716

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 2716—An act to amend Sections 14087.96, 14087.961, 14087.9625, and 14087.966 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, June 9, 2004

Mr. President: The Committee on Education, to which were referred:

AB 379

AB 2132

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Health and Human Services.

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Health and Human Services.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Education, to which was referred:

AB 858

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Education, to which was referred:

AB 3063

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.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Rules

State Capitol, June 9, 2004

The Committee on Rules has referred the following measures to committee:

Agriculture and Water Resources—AB 1983, AB 2141, AB 2197, AB 2572.

Banking, Commerce and International Trade—AB 1911, AB 2411.

Business and Professions—AB 1793, AB 1812, AB 2507.

Education—AB 1858, AB 2066, AB 2080, AB 2196, AB 2295, AB 2373, AB 2387, AB 2413, AB 2446, AB 2455, AB 2462, AB 2559, AB 2647, AB 2706, AB 2710, AB 2724, AB 2727, AB 2744, AB 2751, AB 2860, AB 2950, AB 3001, AB 3015, AB 3017.

Elections and Reapportionment—AB 1980, AB 2079, AB 2748, AB 2842, AB 2941.

Energy, Utilities and Communications—AB 2006, AB 2447, AB 2499, AB 2869, AB 2924.

Environmental Quality—AB 2585, AB 2633, AB 2657, AB 2672, AB 2901, AB 2902, AB 2955, AB 3034, AB 3090.

Governmental Organization—AB 1829, AB 2162, AB 2406, AB 2565, AB 2738.

Health and Human Services—AB 1957, AB 1958, AB 1959, AB 2065, AB 2248, AB 2297, AB 2326, AB 2536, AB 2763, AB 2791, AB 2816, AB 2874, AB 2943, AB 2973, AB 2989, AB 3027, AB 3036, AB 3044; ACR 216.

Housing and Community Development—AB 2400, AB 2702, AB 2838.

Insurance—AB 2316, AB 2520.

Judiciary—AB 1839, AB 1950, AB 1964, AB 2240, AB 2396, AB 2404, AB 2598, AB 2637, AB 2725, AB 2761, AB 2787, AB 2804, AB 2840, AB 2867, AB 3079.

Labor and Industrial Relations—AB 1885, AB 1923, AB 2213, AB 2532, AB 2604, AB 2690, AB 2832, AB 2837, AB 3020, AB 3021.

Local Government—AB 2067, AB 2473, AB 2851.

Natural Resources and Wildlife—AB 1788, AB 2064, AB 2186, AB 2280, AB 2378, AB 2600, AB 2631, AB 2665, AB 2673, AB 2777, AB 2875, AB 2915, AB 3039.

Public Employment and Retirement—AB 2364, AB 2554, AB 2750, AB 2982, AB 3094.

Public Safety—AB 1866, AB 2019, AB 2450, AB 2705, AB 2742, AB 2905, AB 2930, AB 3042.

Revenue and Taxation—AB 1850, AB 2106, AB 2203, AB 2480, AB 2813, AB 2952.

Rules—AB 1790, AB 2435, AB 2596.

Transportation—SCR 78; AB 2377, AB 2498, AB 2514, AB 2683, AB 2784, AB 2865.

Veterans Affairs—AB 2266, AB 2269.

The Committee on Rules has referred the following measures to two committees:

Banking, Commerce and International Trade and Judiciary—AB 2868.

Budget and Fiscal Review and Constitutional Amendments—SCA 23.

Business and Professions and Judiciary—AB 2715.

Education and Business and Professions—AB 2457.

Education and Health and Human Services—AB 1988, AB 2686.

Energy, Utilities and Communications and Environmental Quality—AB 2685.

Energy, Utilities and Communications and Judiciary—AB 1335.

Energy, Utilities and Communications and Public Safety—AB 2591.

Energy, Utilities and Communications and Rules—AB 2858.

Environmental Quality and Transportation—AB 2880.

Health and Human Services and Education—AB 2909.

Health and Human Services and Public Safety—AB 2661.

Health and Human Services and Rules—AB 1960.

Housing and Community Development and Revenue and Taxation—AB 2398.

Insurance and Health and Human Services—AB 1927.
Insurance and Labor and Industrial Relations—AB 1868, AB 2866.
Insurance and Transportation—AB 2709.
Judiciary and Housing and Community Development—AB 2718.
Labor and Industrial Relations and Judiciary—AB 3051.
Natural Resources and Wildlife and Local Government—AB 2476.
Natural Resources and Wildlife and Rules—AB 2529.
Public Safety and Governmental Organization—AB 2190.
Public Safety and Judiciary—AB 2474, AB 2611.

The Committee on Rules has re-referred the following measures to committee:

Appropriations—AB 1925.
Business and Professions—AB 262.
Energy, Utilities and Communications— AB 2509.
Health and Human Services—AB 2747.
Insurance—AB 2129.
Insurance and Judiciary—AB 421.
Judiciary—AB 2275, AB 2755, AB 2783.
Local Government—AB 3084.
Natural Resources and Wildlife—AB 800.
Public Safety—AB 2029.

Committee on Health and Human Services

Senate Chamber, June 9, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 1957 AB 1960 AB 2874 AB 2909

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 1957—An act to add Sections 14982 and 14983 to the Government Code, and to add Article 5 (commencing with Section 110242) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

Bill read second time.

Assembly Bill 1960—An act to add Article 8 (commencing with Section 4130) to Chapter 9 of Division 2 of the Business and Professions Code, relating to pharmacy benefits management.

Bill read second time.

Assembly Bill 2874—An act to amend Sections 1255.1 and 1300 of the Health and Safety Code, relating to public health.

Bill read second time.

Assembly Bill 2909—An act to amend Sections 95016 and 95020 of, and to add Section 95029.5 to, the Government Code, relating to early intervention services.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules for assignment:

Senate Constitutional Amendment 24: By Senator Dunn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending paragraph (4) of subdivision (i) of Section 19 of Article IV thereof, as proposed to be added by the Gaming Revenue Act of 2004, relating to taxation.

Senate Concurrent Resolution 86: By Senators Figueroa, Alpert, Chesbro, Ducheny, Escutia, Karnette, Kuehl, Ortiz, Romero, Soto, and Speier (Coauthors: Assembly Members Bates, Berg, Chan, Chu, Cohn, Corbett, Daucher, Garcia, Goldberg, Hancock, Shirley Horton, Jackson, Kehoe, Lieber, Liu, Matthews, Montanez, Negrete McLeod, Oropeza, Parra, Pavley, Reyes, Wiggins, and Wolk)—Relative to Pain Awareness Month.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 2782—An act to amend Section 54954.5 of, and to add Section 54957.11 to, the Government Code, relating to public agencies.

Bill read second time and ordered to third reading.

Assembly Bill 1728—An act to amend Sections 900, 923, 931, 934, 1215.1, 1215.2, and 1872.85 of, and to repeal Section 1861.135 of, the Insurance Code, relating to insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2384—An act to amend Sections 10163.3, 10172.5, 10174, and 10489.93 of, and to add Sections 10163.35 and 10168.93 to, the Insurance Code, relating to life insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2490—An act to amend Section 1764.1 of the Insurance Code, relating to surplus line brokers.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 162—An act to repeal Section 18502.5 of the Health and Safety Code, relating to mobilehome parks, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2337—An act to amend Section 50078.1 of the Government Code, relating to fire suppression.

Bill read second time and ordered to third reading.

Assembly Bill 854—An act to amend Section 1170 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 141—An act to amend Section 1109 of the Evidence Code, relating to domestic violence.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1920—An act to amend Section 422.6 of the Penal Code, relating to rights.

Bill read second time and ordered to third reading.

Assembly Bill 2829—An act to amend Section 782 of the Evidence Code, relating to rape.

Bill read second time and ordered to third reading.

Assembly Bill 2946—An act to add Section 10007 to the Penal Code, relating to inmates.

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 710—An act to amend Section 130052 of the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 72—An act to amend Sections 8212 and 8226 of the Education Code, and to amend Section 1596.853 of, and to add Sections 1596.773 and 1596.8555 to, the Health and Safety Code, relating to child care.

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 Health and Human Services.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1369** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

AB 1283 was withdrawn from the Committee on Revenue and Taxation and re-referred to the Committee on Rules; and

AB 955 was withdrawn from the Committee on Local Government and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Education

AB 379—Do pass and re-refer to Committee on Health and Human Services

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 442—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alarcón, Denham, Karnette, and McPherson.

NOES (2)—Senators Scott and Vincent.

Failed Passage

AB 442—Reconsideration granted

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 858—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, and Vincent.

NOES (1)—Senator Denham.

AB 1175—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2132—Do pass and re-refer to Committee on Health and Human Services

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2370—Do pass as amended

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2416—Do pass as amended

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2615—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2849—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Vasconcellos, and Vincent.

NOES (2)—Senators Denham and McPherson.

AB 3063—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AJR 68—Be adopted

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

Date of Hearing: 6/9/04

Vasconcellos (Chair)

Committee on Governmental Organization**AB 1356**—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Battin, Brulte, Cedillo, Dunn, Karnette, Machado, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 1657—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Dunn, Karnette, Soto, and Vincent.

NOES (4)—Senators Battin, Brulte, Margett, and Morrow.

Failed Passage

AB 1657—Reconsideration granted

AYES (9)—Senators Battin, Brulte, Cedillo, Dunn, Karnette, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 2164—Do pass, to Consent Calendar

AYES (10)—Senators Battin, Brulte, Cedillo, Dunn, Karnette, Machado, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 2719—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (10)—Senators Battin, Brulte, Cedillo, Dunn, Karnette, Machado, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

Date of Hearing: 6/8/04

Vincent (Chair)

Committee on Housing and Community Development**AB 162**—Do pass, to Consent Calendar

AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 224—Do pass as amended

AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 672—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Cedillo, Ducheny, Dunn, and Torlakson.

NOES (1)—Senator Hollingsworth.

AB 868—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Cedillo, Ducheny, Dunn, and Torlakson.

NOES (0)—None.

AB 1836—Do pass as amended and re-refer to Committee on Judiciary
AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2533—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Cedillo, Ducheny, Dunn, and Torlakson.

NOES (1)—Senator Hollingsworth.

AB 3032—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 3033—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

Date of Hearing: 6/7/04

Ducheny (Chair)

Committee on Judiciary

AB 1264—Do pass, to Consent Calendar

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 1704—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 1859—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2062—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2089—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Cedillo, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2292—Do pass as amended

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2687—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2723—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 3016—Do pass

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 3082—Do pass, to Consent Calendar

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

Date of Hearing: 6/8/04

Escutia (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to a family illness: Senator Sher.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Thursday, June 10, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, June 10, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alpert, Ashburn, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, Vasconcellos, and Vincent—33.

Quorum present.

(NOTE: Senators Alarcón, Battin, McPherson, Oller, and Speier will be excused this day on legislative business and Senator Bowen will be excused this day due to illness.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 10, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 1658

Above measure ordered enrolled.

Assembly Chamber, June 10, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

SJR 28

Above resolution ordered enrolled.

Assembly Chamber, June 10, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 1190 SCR 83

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, June 10, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 175 AJR 52

Assembly Chamber, June 10, 2004

The Honorable Greg Schmidt

Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 3081 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measure 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 175—Relative to Hmong History Month.

Assembly Joint Resolution 52—Relative to Macedonians.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Date of Hearing, June 7, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2528

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Committee on Labor and Industrial Relations

Date of Hearing, June 9, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

AB 1840 AB 2919

Reports the same back with the recommendation: Do pass.

ALARCÓN, Chair

Above bills ordered to second reading.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

AB 2649 AB 3018

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

ALARCÓN, Chair

Above measures ordered to second reading.

Committee on Banking, Commerce and International Trade

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Banking, Commerce and International Trade, to which were referred:

AB 804 AB 1870 AB 1979
AB 2206 AB 2693

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 804—An act to add Chapter 2.5 (commencing with Section 13996.5) to Part 4.7 of Division 3 of Title 2 of the Government Code, relating to international trade, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1870—An act to amend Sections 17314, 17314.1, 17332, and 17345.1 of the Financial Code, relating to financial institutions.

Bill read second time.

Assembly Bill 1979—An act to amend Section 1916.5 of the Civil Code, relating to lending.

Bill read second time.

Assembly Bill 2206—An act to add Section 13998 to, and to add Article 6.5 (commencing with Section 12065) to Chapter 1 of Part 2 of

Division 3 of Title 2 of, the Government Code, relating to international trade.

Bill read second time.

Assembly Bill 2693—An act to add Section 22062 to the Financial Code, relating to finance lenders.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 61	AB 1569	AB 1958	AB 2286
AB 2661	AB 2763	AB 2816	

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 61—An act to add Section 12304.4 to the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 61 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DYMALLY

Permission of Rules Committee

Senate Chamber, June 10, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 61.

BURTON, Chair

Assembly Bill 1569—An act relating to care facilities.

Bill read second time.

Assembly Bill 1958—An act to add Part 9 (commencing with Section 22980) to Division 5 of Title 2 of the Government Code, relating to pharmaceutical purchasing consortium.

Bill read second time.

Assembly Bill 2286—An act to add Section 49416 to the Education Code, relating to drugs.

Bill read second time.

Assembly Bill 2661—An act to amend Section 1536 of, and to add Sections 1506.7, 1506.8, and 1506.9 to, the Health and Safety Code, relating to foster care.

Bill read second time.

Assembly Bill 2763—An act to add Section 113995.6 to, and to add Article 15 (commencing with Section 111224) to Chapter 5 of Part 5 of Division 104 of, the Health and Safety Code, relating to food labeling and safety.

Bill read second time.

Assembly Bill 2816—An act to add Section 9253.5 to the Welfare and Institutions Code, relating to long-term care.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Date of Hearing, June 9, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 1876 AB 1881 AB 1898

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 9, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 1945

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Public Safety with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure re-referred to the Committee on Public Safety.

Committee on Constitutional Amendments

Date of Hearing, June 9, 2004

Mr. President: The Committee on Constitutional Amendments, to which were referred:

SCA 20 SCA 21 SCA 22

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations.

POOCHIGIAN, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Health and Human Services

Date of Hearing, June 9, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 2429

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Insurance with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure re-referred to the Committee on Insurance.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 1986

AB 2679

AB 2820

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.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 2136

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Public Safety.

ORTIZ, Chair

Above measure re-referred to the Committee on Public Safety.

Committee on Labor and Industrial Relations

Date of Hearing, June 9, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

AB 1397

AB 2317

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

ALARCÓN, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

AB 606

AB 1845

AB 2412

AB 2850

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

ALARCÓN, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Judiciary

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1706

AB 2010

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 1706—An act to amend Section 1162 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time.

Assembly Bill 2010—An act to add and repeal Sections 26840.10 and 26840.11 of the Government Code, to add and repeal Sections 103627 and 103628 of the Health and Safety Code, and to add and repeal Sections 18309 and 18309.5 of the Welfare and Institutions Code, relating to domestic violence.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Date of Hearing, June 9, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AJR 70

Reports the same back with the recommendation: Be adopted and be placed on the Consent Calendar.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 1, 2004

Mr. President: The Committee on Public Safety, 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.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing, June 9, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

AB 1916

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

CEDILLO, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Rules

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 1790

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments**Assembly Bill 1790**—An act relating to school facilities.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Revenue and Taxation

Date of Hearing, June 9, 2004

Mr. President: The Committee on Revenue and Taxation, to which were referred:

AB 1799

AB 1928

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

CEDILLO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

AB 2491

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Health and Human Services.

CEDILLO, Chair

Above measure re-referred to the Committee on Health and Human Services.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

AB 2846

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

CEDILLO, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

AB 1994

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.

CEDILLO, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Education

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 2647

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2647—An act to add Chapter 19 (commencing with Section 53100) to Part 28 of the Education Code, relating to education funding.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

ACR 216

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ORTIZ, Chair

Second Reading of Bills—Author's Amendments

Assembly Concurrent Resolution 216—Relative to senior housing and care quality.

Resolution 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 10, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 911

AB 1865

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 911—An act to add Section 148.8 to the Penal Code, relating to public safety services.

Bill read second time.

Assembly Bill 1865—An act to add Section 3069 to the Penal Code, relating to parole.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Banking, Commerce and International Trade

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Banking, Commerce and International Trade, to which were referred:

AB 2312

AB 3070

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 2312—An act to add Section 13082 to the Financial Code, relating to point-of-sale devices.

Bill read second time.

Assembly Bill 3070—An act to amend Sections 25102.1 and 25532 of, and to repeal Section 28506 of, the Corporations Code, and to amend Section 22337 of the Financial Code, relating to securities.

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 10, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which were referred:

AB 675 AB 2162

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 675—An act to amend Section 19414.5 of the Business and Professions Code, relating to horse racing.

Bill read second time.

Assembly Bill 2162—An act to amend Sections 12710, 12711, 12713, 12714, and 12715 of the Government Code, relating to gaming.

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 10, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 2857

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2857—An act to amend Section 1604 of the Revenue and Taxation Code, relating to taxation.

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 10, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2238

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2238—An act to amend Section 1299.12 of, and to add Section 1299.14 to, the Penal Code, relating to bail.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Public Employment and Retirement

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 2234

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 2234—An act to amend Sections 31485.7, 31485.8, 31486.2, 31489, 31490, 31494.1, 31494.3, 31495.5, 31499.2, and 31499.12 of, to add Sections 31490.5 and 31522.6 to, and to repeal and add Sections 31486.3, 31499.3, and 31499.13 of, the Government Code, relating to county employees' retirement.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 2464

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 2464—An act to amend Sections 3013, 3014, 3016, 3017, 3018, 3019, 3023, 3040, 3042, 3044, 3045, 3054, 3059, 3070, and 3076 of, to add Sections 3003, 3004, 3005, 3006, 3025.1, 3025.2, 3025.7, 3027, 3028, 3046, and 3071 to, to repeal Sections 3012, 3015, 3020, 3021, 3022, 3023.1, 3025.6, 3026.5, 3027.5, 3029, 3047, 3050, and 3052 of, and to repeal and add Sections 3000, 3055, and 3075 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 Public Safety

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 2450

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2450—An act to amend Section 6609.1 of the Welfare and Institutions Code, relating to mental health.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Date of Hearing, June 7, 2004

Mr. President: The Committee on Housing and Community Development, to which were referred:

AB 672

AB 868

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUCHENY, Chair

Above measures ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 8, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2304

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

BOWEN, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Judiciary

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1776

AB 2396

AB 3078

AB 3079

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 1776—An act to amend Section 2105 of the Corporations Code, relating to foreign corporations.

Bill read second time.

Assembly Bill 2396—An act to add Section 1021.11 to the Code of Civil Procedure, relating to court costs.

Bill read second time.

Assembly Bill 3078—An act to amend Sections 116.410, 411.20, 1005, 2024, and 2034 of the Code of Civil Procedure, relating to procedure.

Bill read second time.

Assembly Bill 3079—An act to amend Sections 3110.5 and 7120 of the Family Code, to amend Sections 68085, 68502.7, 68926, 68927, 71622, 72190, and 77006.5 of, and to repeal Section 72407 of, the Government Code, and to amend Sections 366.21 and 16010.6 of the Welfare and Institutions Code, relating to the courts.

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 10, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 1897

AB 2407

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1897—An act to amend Section 35012 of the Education Code, relating to school districts.

Bill read second time.

Assembly Bill 2407—An act to repeal and add Section 46111 of the Education Code, relating to kindergarten.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, June 8, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2723

Reports the same back with the recommendation: Do pass as amended.
ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Public Safety

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 2930

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2930—An act to amend Sections 3303 and 3304 of the Government Code, relating to public safety officers.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Date of Hearing, June 7, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 3033

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which were referred:

AB 2465

AB 2906

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2465—An act to amend Section 25502 of the Health and Safety Code, relating to hazardous materials.

Bill read second time.

Assembly Bill 2906—An act to add Section 43200.1 to the Health and Safety Code, relating to air pollution.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Energy, Utilities and Communications

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 2685

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 2685—An act to add Section 65040.15 to the Government Code, relating to energy resources.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Banking, Commerce and International Trade

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Banking, Commerce and International Trade, to which was referred:

AB 1810

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 1810—An act to add Division 21 (commencing with Section 51000) to the Financial Code, relating to automated teller machines.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Revenue and Taxation

Senate Chamber, June 10, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 990

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 990—An act to add Article 2.7 (commencing with Section 12025) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to state government.

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 10, 2004

Mr. President: The Chair of the Committee on Local Government, to which was referred:

AB 1187

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1187—An act to add Article 10 (commencing with Section 33492.150) to Chapter 4.5 of Part 1 of Division 24 of the Health and Safety Code, relating to redevelopment.

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 ASSEMBLY BILLS

Assembly Bill 3016—An act to amend Section 1798.85 of the Civil Code, relating to privacy.

Bill read second time and ordered to third reading.

Assembly Bill 1264—An act to amend Sections 4216, 4216.2, and 4216.8 of the Government Code, relating to excavation equipment.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3082—An act to amend Sections 511.3, 853, 2241.5, 2260, 3651, 4052, 4311, 4409, 4980.90, 7026.1, 7028, 12107.1, 13570, 17529.1, 17538.45, 17550.30, 17593, 18824, 18897.73, 22575, and 25503.4 of the Business and Professions Code, to amend Sections 51.10, 56.26, 800.100, 1102.16, 1103, 1542, 1785.30, 1786.24, 1789.21, 1798.83, 1798.85, 1799.1b, 1812.701, 1865, 2945.3, 2982, 2985.8, and 2988.9 of, and to amend and renumber Sections 1747.8 and 1747.9 of, the Civil Code, to amend Sections 715.010, 995.640, 1021.8, 1563, 1822.60, and 2023 of the Code of Civil Procedure, to amend Sections 2207, 13401.5, and 14010

of, and to amend and renumber Section 17655 of, the Corporations Code, to amend Sections 8266.1, 8813, 8825, 17077.45, 17334, 17360, 22852, 22854, 27403, 32265, 42238.41, 44279.2, 44328, 44735, 44830.3, 47634, 48200.7, 49414.5, 49452.6, 52015, 52054, 52055.615, 52055.625, 52055.655, 52128, 60061.8, 60640, 64201, 66271.8, 67359.13, 88033, 89539.2, 94779, 94901, 94944, 94990, and 99235 of the Education Code, to amend Sections 11105, 14310, and 18541 of the Elections Code, to amend Sections 917 and 956.5 of the Evidence Code, to amend Sections 4962 and 17600 of the Family Code, to amend Sections 216.3, 258, 645, 690, 777.5, 867, 1753, 1807, 1908, 3804, 14401, and 50122 of the Financial Code, to amend Sections 206, 1570, 1572, 1613, 7149.2, 7361, 7362, and 12011 of the Fish and Game Code, to amend Sections 6047.4, 6047.82, 27680, 27681, 27686, 27690, 30801, 52489, 65520, 66572, 66663, 74028, 78302, and 78690 of the Food and Agricultural Code, to amend Sections 912.8, 1091.4, 6254, 6254.17, 7072, 8220, 8592.4, 8869.84, 8880.325, 10205.1, 12012.30, 12080.3, 12598, 13995.20, 13995.40, 13995.42, 13995.58, 13995.65, 13995.74, 13997.1, 14055.2, 18215, 19063.1, 19582.1, 19826, 20035.2, 20035.3, 20035.4, 20035.10, 20235, 22013.97, 22825.12, 25358, 29550, 30061, 31520.5, 31755, 31762, 31776.3, 50061, 53088.2, 53895.5, 54222, 63049.4, 65919, 68085.5, 68086, 69927, 71806, 71828, 77202, and 95000 of, and to amend and renumber Sections 6215 and 20035.5 of, the Government Code, to amend Sections 138.6, 444.20, 1255, 1367.04, 1375.7, 1569.30, 1569.70, 1596.816, 1794.04, 11758, 13108.5, 17037.5, 17921.9, 17991, 25117.4.1, 25121.3, 25160.6, 25184.1, 25201.1, 25210.6, 25360.6, 25501, 32111, 33320.8, 33492.40, 39011.5, 39614, 39661, 40500.5, 40724.6, 41514.1, 41855.6, 50517.9, 51615, 53533, 101625, 104558, 106010, 115005, 121010, 127670, 127671, 127760, and 128401 of, to amend the heading of Chapter 8 (commencing with Section 127670) of Part 2 of Division 107 of, and to amend and renumber Sections 35987, 35988, 35989, 35990, and 35991 of, the Health and Safety Code, to amend Sections 881, 1063.53, 1067.08, 1104.9, 1280.7, 1776, 1861.025, 10113.2, 10133.56, 10133.8, 10178.4, 10764, 12144, 12671, 12693.55, 12975.7, 12975.8 of, and to amend and renumber Section 10089.45 of, the Insurance Code, to amend Sections 98.2, 141, 143.2, 2140.5, 2160.1, 2190, 2190.2, 2200, 2210, 3099, 3600.1, and 7304 of, and to amend and renumber Section 4610 of, the Labor Code, to amend Sections 186.8, 330b, 330.7, 597b, 597c, 1372, 1463.010, 6245, 11171, 11502, 12021, and 13864 of the Penal Code, to amend Sections 858, 6242, 19403, 20114.5, and 21320 of the Probate Code, to amend Sections 6106.5 and 10295.3 of the Public Contract Code, to amend Sections 2755, 2802, 3305, 3324, 5079.50, 14509.3, 14552.5, 14581, 30610.3, 36725, 40000, 41732, 42330, 42463, 42475.2, 45000, 45010, 50000, and 71210 of, and to amend the headings of Article 1 (commencing with Section 32630), Article 2 (commencing with Section 32633), Article 3 (commencing with Section 32639), Article 4 (commencing with Section 32657), and Article 5 (commencing with Section 32661) of Division 22.9 of, the Public Resources Code, to amend

Sections 280.5, 353.2, 372, 374, 377.2, 379.6, 396, 399.12, 1701.3, and 21670.1 of the Public Utilities Code, to amend Sections 97.313, 155.20, 3691.6, 6077, 6361.1, 9405, 17132.6, 18407, 19164, 19179, 19777, 23036, 23736.1, 46622, and 55337 of the Revenue and Taxation Code, to amend Sections 104.7, 3114.5, 5101, 8833, 10100.2, and 31071 of the Streets and Highways Code, to amend Sections 2610, 3305, and 10200 of the Unemployment Insurance Code, to amend Sections 2813.5, 3072, 9250.13, 9400.1, 9400.3, 9951, 11515.2, 12509, 22100, 25803, 31032.1, 34620, and 35401.7 of the Vehicle Code, to amend Sections 1552, 13269, 13368, 13387, 13610, 13611, 13611.5, 36153, 72303, 78688, 79532, and 79561.5 of, and to amend and renumber Section 12749.95 of the Water Code, to amend Sections 779, 1000.7, 1703, 5657, 7200.06, 10063, 11025, 11052.5, 11373, 11468.6, 14016.5, 14043.75, 14087.6, 14105.981, 14123.25, 14132.22, 14133.3, 14148.91, 14408, 15657, 15657.03, 16121.05, 16501.6, and 18358 of the Welfare and Institutions Code, and to amend Section 1 of Chapter 68 of, and Section 13 of Chapter 673 of, the Statutes of 2003, relating to the maintenance of the codes.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2164—An act to amend Section 19605.73 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 384—An act to amend Sections 308, 2762, 3326, and 5005 of, and to add Section 5030 to, the Penal Code, and to amend Section 1752.5 of, and to add Section 1712.5 to, the Welfare and Institutions Code, relating to tobacco products.

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.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on June 14:

AB 141	AB 1920	AB 2490
AB 2829	SB 1021	SJR 16

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 61** was withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Rules;

AB 84 was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Rules;

AB 621, **AB 1314**, and **AB 1362** were withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

AB 84 was withdrawn from the Committee on Rules and re-referred to the Committee on Elections and Reapportionment.

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 87: By Senator Torlakson (Coauthor: Assembly Member Firebaugh)—Relative to soccer in California.

SENATE COMMITTEE ROLL CALLS**Committee on Constitutional Amendments**

SCA 20—Be adopted and re-refer to Committee on Appropriations

AYES (3)—Senators Burton, McClintock, and Poochigian.

NOES (0)—None.

SCA 21—Be adopted and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, McClintock, and Poochigian.

NOES (0)—None.

SCA 22—Be adopted and re-refer to Committee on Appropriations

AYES (3)—Senators Burton, Escutia, and Poochigian.

NOES (0)—None.

Date of Hearing: 6/9/04

Poochigian (Chair)

Committee on Energy, Utilities and Communications

AB 2172—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Alarcón, Dunn, and Sher.

NOES (2)—Senators Battin and Morrow.

Failed Passage

AB 2172—Reconsideration granted

AYES (7)—Senators Alarcón, Battin, Dunn, Morrow, Murray, Sher, and Vasconcellos.

NOES (0)—None.

AB 2303—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Murray, Sher, and Vasconcellos.

NOES (2)—Senators Battin and Morrow.

AB 2304—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Battin, Dunn, Morrow, Sher, and Vasconcellos.

NOES (0)—None.

AB 2430—Do pass as amended and re-refer to Committee on Judiciary

AYES (6)—Senators Alarcón, Battin, Dunn, Morrow, Murray, and Sher.

NOES (0)—None.

AB 2505—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Battin and Morrow.

NOES (0)—None.

Failed passage

AB 2505—Reconsideration granted

AYES (7)—Senators Alarcón, Battin, Dunn, Morrow, Murray, Sher, and Vasconcellos.

NOES (0)—None.

AB 2593—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Battin, Dunn, Morrow, Murray, and Sher.

NOES (0)—None.

Date of Hearing: 6/8/04

Bowen (Chair)

Committee on Health and Human Services**AB 1822**—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 1876—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (2)—Senators Aanestad and Ashburn.

AB 1881—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Aanestad, Alarcón, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (1)—Senator Ashburn.

AB 1898—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (2)—Senators Aanestad and Ashburn.

AB 1913—Do pass as amended and re-refer to Committee on Public Safety, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 1945—Do pass and re-refer to Committee on Public Safety, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 1986—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 2005—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 2136—Do pass and re-refer to Committee on Public Safety

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (1)—Senator Ashburn.

AB 2151—Do pass as amended and re-refer to Committee on Rules

AYES (8)—Senators Aanestad, Alarcón, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (1)—Senator Ashburn.

AB 2205—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 2429—Do pass and re-refer to Committee on Insurance, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 2679—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 2820—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AJR 70—Do pass, to Consent Calendar

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

Date of Hearing: 6/9/04

Ortiz (Chair)

Committee on Labor and Industrial Relations

AB 606—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 1397—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 1840—Do pass

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 1845—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, and Romero.

NOES (2)—Senators McClintock and Oller.

AB 2317—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 2412—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 2649—Do pass, to Consent Calendar

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

AB 2850—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 2919—Do pass

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

AB 3018—Do pass, to Consent Calendar

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

Date of Hearing: 6/9/04

Alarcón (Chair)

Committee on Revenue and Taxation**AB 658**—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Cedillo, Hollingsworth, and Pochigian.

NOES (1)—Senator Ashburn.

AB 1799—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Cedillo, Hollingsworth, and Pochigian.

NOES (0)—None.

AB 1916—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators Alpert, Ashburn, Hollingsworth, and Poochigian.

NOES (2)—Senators Burton and Cedillo.

AB 1928—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 1994—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Alpert, Ashburn, Burton, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2144—Do pass as amended

AYES (3)—Senators Alpert, Burton, and Cedillo.

NOES (3)—Senators Ashburn, Hollingsworth, and Poochigian.

Failed passage

AB 2144—Reconsideration granted

AYES (6)—Senators Alpert, Ashburn, Burton, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2346—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

Failed passage

AB 2346—Reconsideration granted

AYES (6)—Senators Alpert, Ashburn, Burton, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2491—Do pass and re-refer to Committee on Health and Human Services

AYES (4)—Senators Alpert, Burton, Cedillo, and Hollingsworth.

NOES (0)—None.

AB 2846—Do pass and re-refer to Committee on Rules

AYES (6)—Senators Alpert, Ashburn, Burton, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

Date of Hearing: 6/9/04

Cedillo (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Alarcón, Battin, McPherson, Oller, and Speier.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Maxine R. Wilson of San Diego.

Senator Torlakson requested that when the Senate adjourns this day it do so in memory of Robert Franz of Antioch.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 10:30 a.m., Monday, June 14, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, June 14, 2004

The Senate met at 10:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—37.

Quorum present.

(NOTE: Senator Dunn will be excused this day on legislative business and Senator Bowen will be excused this day due to illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

O God of Many Names, As we stand in Your presence in worship, may we reflect anew on Your awesome power. You hold the universe within Your hands and each of us within Your tender care. Because we are created in Your image and likeness, somewhere in the circles of our lives we too hold influence and power. In celebration of Your divine example, may our pride be reduced, our compassion increased and the good of all be our common aim.—AMEN.

(adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Battin led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 10, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 237

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 237—Relative to National Fishing and Boating Week.

REPORTS OF STANDING COMMITTEES**Committee on Education**

Senate Chamber, June 14, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 2485

AB 2504

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2485—An act to add Section 17212.1 to the Education Code, relating to schools.

Bill read second time.

Assembly Bill 2504—An act to add Section 49537 to the Education Code, relating to pupils.

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

Date of Hearing, June 7, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 389

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

SHER, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, June 14, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 426

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 426—An act to add Section 139 to the Water Code, relating to the State Water Project.

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 14, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 2319

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2319—An act relating to intellectual property.

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 1, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 1894

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Date of Hearing, June 7, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 1836

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

DUCHENY, Chair

Above measure ordered to second reading.

Date of Hearing, June 7, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 3032

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 8, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2593

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 2528—An act to repeal and add Section 116455 of the Health and Safety Code, relating to public water systems.

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 1840—An act to amend Section 4702 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Assembly Bill 2919—An act to amend Section 3209.10 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Assembly Bill 2649—An act to amend Section 3352 of the Labor Code, relating to workers' compensation.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3018—An act to add Section 14000.5 to, and to repeal Section 15035 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time and ordered to Consent Calendar.

Assembly Joint Resolution 70—Relative to HIV and AIDS prevention and treatment for women.

Resolution read second time and ordered to Consent Calendar.

Assembly Bill 1864—An act to amend Sections 171b, 171.5, 417.2, 626.10, and 12001 of the Penal Code, relating to BB guns.

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 672—An act to amend Section 51504 of the Health and Safety Code, relating to affordable housing, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 868—An act to amend Sections 50710.1 and 50712.5 of the Health and Safety Code, relating to migrant farm labor centers.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2723—An act to amend Section 1793.2 of the Civil Code, relating to consumer warranties.

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 3033—An act to amend Section 8875.4 of, and to add and repeal Section 8875.10 of, the Government Code, and to repeal Section 19169 of the Health and Safety Code, relating to seismic safety.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

CONSENT CALENDAR

Assembly Bill 2243—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2481—An act to amend Section 63021.5 of the Government Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2630—An act to amend Section 101850 of the Health and Safety Code, relating to public health.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2049—An act to add Article 4.5 (commencing with Section 123620) to Chapter 2 of Part 2 of Division 106 of the Health and Safety Code, relating to maternal and child health.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2301—An act to amend Section 16915 of the Welfare and Institutions Code, relating to health care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 33—Relative to Taiwan and the World Health Organization.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1985—An act to amend Section 1871.3 of the Insurance Code, relating to insurance claims.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1851—An act to amend Sections 3412, 3413, 3600, 3601, 3602, 3603, 3604, 3610, 3611, and 3612 of, and to add Section 3613 to, the Probate Code, relating to incapacity.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1820—An act to add and repeal Section 37700.1 of the Education Code, relating to schooldays.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 54—Relative to the federal medical assistance percentage.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 162—An act to repeal Section 18502.5 of the Health and Safety Code, relating to mobilehome parks, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Assembly Bill 920—An act to amend Sections 1102.6a, 1102.17, and 1103.2 of the Civil Code, relating to real estate disclosures.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 64—Relative to bias-motivated crimes.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 883—An act to add Section 1550.1 to the Evidence Code, and to add Section 11106.3 to the Penal Code, relating to records.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1901—An act to amend Section 1203.1abc of the Penal Code, relating to criminal offenders.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1948—An act to amend Section 740 of the Welfare and Institutions Code, relating to wards.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2126—An act to amend Section 11112.4 of the Penal Code, relating to crime prevention.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 254—An act to amend Section 1373.621 of the Health and Safety Code, and to amend Section 10116.5 of the Insurance Code, relating to health.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1883—An act to amend Section 15602 of the Probate Code, relating to trusts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2490—An act to amend, repeal, and add Section 1764.1 of the Insurance Code, relating to surplus line brokers.

Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Assembly Bill 141—An act to amend Section 1109 of the Evidence Code, relating to domestic violence.

Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1920—An act to amend Section 422.6 of the Penal Code, relating to rights.

Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2829—An act to amend Section 782 of the Evidence Code, relating to rape.

Bill read third time, passed, and ordered transmitted to the Assembly.
(NOTE: See Consent Calendar Roll Call)

Senate Bill 1021—An act to amend Section 16337 of, and to add Chapter 5 (commencing with Section 16500) to Part 4 of Division 9 of, the Probate Code, relating to trusts.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Joint Resolution 16—Relative to military airfares.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

IN HONOR OF FLAG DAY

On motion of Senator Burton the following poem was printed in the Journal:

The Flag Goes By
Henry Holcomb Bennett

Hats off!
Along the street there comes
A blare of bugles, a ruffle of drums,
A flash of color beneath the sky:
Hats off!
The flag is passing by!
Blue and crimson and white it shines,
Over the steel-tipped, ordered lines.
Hats off!
The colors before us fly;
But more than the flag is passing by.
Sea-fights and land-fights, grim and great,
Fought to make and to save the State:
Weary marches and sinking ships;
Cheers of victory on dying lips;
Days of plenty and years of peace;
March of a strong land's swift increase;
Equal justice, right and law,
Stately honor and reverend awe;
Sign of a nation, great and strong
To ward her people from foreign wrong:
Pride and glory and honor,—all
Live in the colors to stand or fall.
Hats off!
Along the street there comes
A blare of bugles, a ruffle of drums;
And loyal hearts are beating high:
Hats off!
The flag is passing by!

Senator Romero Presiding**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS****Consideration of Assembly Amendments**

Senate Bill 626—An act to amend Sections 7005, 7008, 89529.03, and 89621 of the Education Code, to amend Sections 3517.6, 3517.61, 3572.5, 9322, 9359.83, 14876, 16391.1, 19849.15, 19871, 21450, 21506, 21551, 21635, 21635.5, 26296.22, 26299.036, 73642, 73952, 74342, 74742, and 75521 of, to add Part 5 (commencing with Section 22750) to Division 5 of Title 2 of, to repeal Sections 21690, 21691, 21692 of, to repeal Part 5 (commencing with Section 22751) of Division 5 of Title 2 of, and to repeal and add Part 6 (commencing with Section 22950) of Division 5 of Title 2 of, the Government Code, to amend Section 124964 of the Health and Safety Code, to amend Section 4856 of the Labor Code, to amend Section 13600 of the Probate Code, to amend Section 35137 of the Public Resources Code, and to amend Sections 130109, 131269, and 140109 of the Public Utilities Code, relating to public employee benefits, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Soto.

The question being: Shall the Senate concur in the Assembly amendments to SB 626?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Burton, Cedillo, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Burton, Cedillo, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 35—An act to amend Sections 65352 and 65400 of, and to repeal Section 65307 of, the Government Code, relating to local planning.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (CONSENT CALENDAR)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Consent Calendar Roll Call

The roll was called and the measures on the Consent Calendar passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

UNFINISHED BUSINESS (RESUMED)**Consideration of Governor's Appointments**

Senator Burton placed the following Governor's appointments before the Senate:

Pat L. Vazquez, Warden, Wasco State Prison.

Lea Ann Chrones, Warden, North Kern State Prison, Delano.

Kathleen A. Prosper, Warden, California Correctional Center, Susanville.

James A. Yates, Warden, Pleasant Valley State Prison.

The President put the question: "Will the Senate advise and consent to the appointments by the Governor?"

Roll Call

The roll was called and the appointments were confirmed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia,

Figuroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

REQUEST TO BE ADDED TO ROLL CALL

June 14, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 626—Aye

AB 35—Aye

JOHN L BURTON, President pro Tempore

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Dunn.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 11:15 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, June 15, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 14, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 1172

SB 1350

SB 1341

Above measures ordered enrolled.

Assembly Chamber, June 14, 2004

Madam President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 115

And respectfully requests your honorable body to concur in said amendments.

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measure ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES
Committee on Agriculture and Water Resources

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 2572

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 2572—An act to amend Sections 111 and 521 of, to amend the heading of Article 3 (commencing with Section 520) of Chapter 8 of Division 1 of, and to add Section 523.5 to, the Water Code, relating to water.

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 14, 2004

Madam President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 1918

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 1918—An act to amend Sections 44977 and 45196 of the Education Code, relating to school employees.

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 14, 2004

Madam President: The Chair of the Committee on Environmental Quality, to which were referred:

AB 1942

AB 2042

AB 2701

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1942—An act to amend Section 25200.15 of the Health and Safety Code, relating to hazardous waste.

Bill read second time.

Assembly Bill 2042—An act to add Section 1740 to the Harbors and Navigation Code, relating to ports.

Bill read second time.

Assembly Bill 2701—An act to amend Sections 13144 and 13152 of, and to repeal Section 12847.5 of, the Food and Agricultural Code, to amend Sections 12812.2 and 12812.5 of the Government Code, to amend Sections 901, 25174, 25178, 25244.11, 25295, 25299.81, 25369, 25395.32, 39607.5, 39619.5, 41712, 41865, 43101, 44011.6, 44100, 44104.5, 57007, and 115910 of, and to repeal Sections 39604, 39702.5, 43032, and 59019 of, the Health and Safety Code, to amend Section 14315 of the Penal Code, to amend Sections 42885.5, 42889.4 and 42889.5 of, to add Chapter 4 (commencing with Section 71069) to Part 2 of Division 34 of, and to repeal Section 42889.1 of, the Public Resources Code, to amend Sections 7672, 7711 and 7712 of the Public Utilities Code, to amend Sections 13191, 13292, 13369, and 13385 of, and to repeal Sections 10782, 13192, 13198, and 13399.39 of, the Water Code, and to amend Section 4 of Chapter 435 of the Statutes of 1994, relating to environmental protection.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Business and Professions, to which was referred:

AB 2507

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 2507—An act to amend 7581, 7582.2, 7583.2, 7583.8, 7583.9, 7583.34, 7583.36, and 7587.7 of the Business and Professions Code, relating to private security services.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Natural Resources and Wildlife

Date of Hearing, June 8, 2004

Madam President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2072

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 Banking, Commerce and International Trade

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Banking, Commerce and International Trade, to which were referred:

AB 2693

AB 2921

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 2693—An act to amend Section 10176 of, and to add Section 10131.8 to, the Business and Professions Code, and to add Section 22317.5 to the Financial Code, relating to lending.

Bill read second time.

Assembly Bill 2921—An act to amend Sections 31001, 31125, 31300, 31303, 31402, 31403, 31405, and 31410 of, and to add Sections 31109, 31212, 31213, 31406, 31407, 31408, and 31411 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises, and declaring the urgency thereof, to take effect immediately.

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 Wildlife

Date of Hearing, June 8, 2004

Madam President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2810

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

KUEHL, Chair

Above measure ordered to second reading.

Date of Hearing, June 8, 2004

Madam President: The Committee on Natural Resources and Wildlife, to which were referred:

SJR 30 AB 2388

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measures ordered to second reading.

Committee on Governmental Organization

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Governmental Organization, to which were referred:

AB 466 AB 864 AB 1414
AB 2311 AB 2878

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 466—An act to add Section 6105 to the Public Contract Code, relating to public contracts.

Bill read second time.

Assembly Bill 864—An act to amend Section 19912 of the Business and Professions Code, relating to gambling.

Bill read second time.

Assembly Bill 1414—An act to amend Section 337i of the Penal Code, relating to gaming.

Bill read second time.

Assembly Bill 2311—An act to add Section 12815 to the Government Code, relating to energy efficiency.

Bill read second time.

Assembly Bill 2878—An act to amend Section 25511 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 2026 AB 2877

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Committee on Natural Resources and Wildlife

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 2911

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 2911—An act to repeal and add Section 701.5 of the Public Resources Code, relating to the Department of Forestry and Fire Protection.

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 14, 2004

Madam President: The Chair of the Committee on Judiciary, to which were referred:

AB 1711 AB 2523 AB 2627 AB 2807

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 1711—An act to amend Sections 6028 and 6140.7 of the Business and Professions Code, relating to attorneys.

Bill read second time.

Assembly Bill 2523—An act to amend Section 11571.1 of the Health and Safety Code, relating to controlled substances.

Bill read second time.

Assembly Bill 2627—An act to add Section 346.1 to the Welfare and Institutions Code, relating to juvenile court proceedings.

Bill read second time.

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of the Welfare and Institutions Code, relating to children.

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 14, 2004

Madam President: The Chair of the Committee on Education, to which were referred:

AB 2446 AB 2855

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2446—An act to amend Sections 17077.40 and 17077.42 of the Education Code, relating to school facilities.

Bill read second time.

Assembly Bill 2855—An act to amend Sections 32282, 35295, 35296, 42140, 48900.1, 48910, and 51230 of, and to repeal Sections 38132, 48211, and 48214 of the Education Code, to amend Sections 6550 and 6552 of the Family Code, to amend Section 17556 of the Government Code, and to amend Sections 124100 and 124105 of the Health and Safety Code, relating to education.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, June 8, 2004

Madam President: The Committee on Judiciary, to which were referred:

AB 2062 AB 2292

Reports the same back with the recommendation: Do pass as amended.

ESCUZIA, Chair

Above measures ordered to second reading.

Date of Hearing, June 8, 2004

Madam President: The Committee on Judiciary, to which were referred:

AB 1704 AB 1859 AB 2687

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Health and Human Services

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2973

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 2973—An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the 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.

Committee on Transportation

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Transportation, to which were referred:

AB 1394

AB 2514

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 1394—An act to amend Sections 44275, 44280, 44281, 44282, 44283, 44284, 44285, and 44295 of, and to add Article 13 (commencing with Section 44297) to Chapter 9 of Part 5 of Division 26 of, the Health and Safety Code, relating to air pollution.

Bill read second time.

Assembly Bill 2514—An act to amend Sections 5106 and 5108 of, and to add Section 5112 to, the Vehicle Code, relating to natural resources.

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

Date of Hearing, June 14, 2004

Madam President: The Committee on Environmental Quality, to which were referred:

AB 1873 AB 2465 AB 3041

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.

SHER, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 14, 2004

Madam President: The Committee on Environmental Quality, to which were referred:

AB 2814 AB 2922

Reports the same back with the recommendation: Do pass.

SHER, Chair

Above bills ordered to second reading.

Date of Hearing, June 14, 2004

Madam President: The Committee on Environmental Quality, to which was referred:

AB 1466

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SHER, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Public Safety

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Public Safety, to which was referred:

AB 488

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 488—An act to amend Section 290.4 of, and to add and repeal Section 290.41 of, the Penal Code, relating to sex offenders.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 8, 2004

Madam President: The Committee on Public Safety, to which was referred:

AB 1493

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MCPHERSON, Chair

Above measures ordered to second reading.

Committee on Energy, Utilities and Communications

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

AB 1684

AB 2499

AB 2803

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 1684—An act to amend Section 379.6 of the Public Utilities Code, relating to energy resources.

Bill read second time.

Assembly Bill 2499—An act to add Sections 25142, 25308, 25309, and 25310 to the Public Resources Code, and to add Section 378.5 to the Public Utilities Code, relating to energy resources.

Bill read second time.

Assembly Bill 2803—An act to add Section 1701.7 to the Public Utilities Code, relating to the Public Utilities Commission.

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 14, 2004

Madam President: The Chair of the Committee on Local Government, to which were referred:

AB 2242

AB 2279

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2242—An act to amend Section 8610 of the Government Code, relating to emergency services.

Bill read second time.

Assembly Bill 2279—An act to add Section 21100.8 to 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 Elections and Reapportionment

Senate Chamber, June 14, 2004

Madam President: The Chair of the Committee on Elections and Reapportionment, to which were referred:

SCA 18 AB 2748

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

Senate Constitutional Amendment 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XXI thereof, relating to elections.

Resolution read second time.

Assembly Bill 2748—An act to amend Section 12241 of the Elections Code, relating to precincts.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Date of Hearing, June 9, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 2151

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

ORTIZ, Chair

Above measure ordered to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 539)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 539 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 539

Assembly Bill 539—An act to amend Sections 1725 and 1766 of the Business and Professions Code, relating to healing arts, and making an appropriation therefor.

Bill read.

Motion to Amend

Amendments to AB 539 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill 434—An act to add Section 53856.2 to the Government Code, relating to temporary borrowing by the City of Richmond, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 434 proposed by Senator Perata were read and adopted and the measure ordered printed and to second reading.

**SENATE COMMITTEE ROLL CALLS
Committee on Environmental Quality**

AB 1466—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Chesbro, Figueroa, Kuehl, and Sher.

NOES (1)—Senator McPherson.

AB 1873—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Chesbro, Figueroa, Kuehl, McPherson, and Sher.

NOES (0)—None.

AB 2021—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, McPherson, and Sher.

NOES (0)—None.

AB 2254—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, McPherson, and Sher.

NOES (0)—None.

AB 2465—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Chesbro, Figueroa, Kuehl, McPherson, and Sher.

NOES (0)—None.

AB 2814—Do pass

AYES (4)—Senators Chesbro, Figueroa, Kuehl, and Sher.

NOES (1)—Senator McPherson.

AB 2922—Do pass

AYES (5)—Senators Chesbro, Figueroa, Kuehl, McPherson, and Sher.

NOES (0)—None.

AB 3041—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Chesbro, Figueroa, Kuehl, McPherson, and Sher.

NOES (0)—None.

Date of Hearing: 6/14/04

Sher (Chair)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 14, 2004

The Honorable Greg Schmidt

Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning SB 9 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

COMMUNICATIONS

The following communication was ordered printed in the Journal:

June 14, 2004

The Honorable Dotson Wilson

Assembly Chief Clerk

Dear Dotson: Pursuant to the direction of the President pro Tempore, I am herewith returning Senate Bill 9 to the Assembly.

Senate Bill 9 of the 2003–04 Regular Session was duly passed by the Senate on July 27, 2003 and sent to the Assembly. The Assembly last adopted amendments to that bill on June 7, 2004. Because the Assembly has yet to pass Senate Bill 9 in any form, it is not properly before the Senate for consideration as reflected by the protocol set forth in Joint Rule 26.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

REQUESTS TO ADJOURN IN MEMORIAM

Senator Burton requested that when the Senate adjourns this day it do so in memory of Albert Barnett of Sacramento and Helen C. McKay of Santa Cruz.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Ray Charles of Beverly Hills.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 11:30 a.m., Tuesday, June 15, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 15, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton,
Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian,
Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and
Vincent—37.

Quorum present.

*(NOTE: Senator Oller will be excused this day on legislative business and
Senator Bowen will be excused this day due to illness.)*

REPORTS OF STANDING COMMITTEES
Committee on Public Employment and Retirement

Date of Hearing, June 14, 2004

Mr. President: The Committee on Public Employment and Retirement,
to which were referred:

AB 1852	AB 1875	AB 2314
AB 2408	AB 2753	

Reports the same back with the recommendation: Do pass, but first be
re-referred to the Committee on Appropriations.

SOTO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 14, 2004

Mr. President: The Committee on Public Employment and Retirement, to which were referred:

AB 2330 AB 2894 AB 2956 AB 3008

Reports the same back with the recommendation: Do pass.

SOTO, Chair

Above bills ordered to second reading.

Date of Hearing, June 14, 2004

Mr. President: The Committee on Public Employment and Retirement, to which were referred:

AB 979 AB 2234 AB 2680

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

SOTO, Chair

Above measures ordered to second reading.

Date of Hearing, June 14, 2004

Mr. President: The Committee on Public Employment and Retirement, to which were referred:

AB 2355 AB 2711 AB 3076

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.

SOTO, Chair

Above measures re-referred to the Committee on Appropriations.

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 465

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 465—An act relating to state employees

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Natural Resources and Wildlife

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which were referred:

AB 2155 AB 2222 AB 2631

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 2155—An act to add Section 31316 to the Public Resources Code, relating to coastal resources.

Bill read second time.

Assembly Bill 2222—An act to add Article 1.5 (commencing with Section 680) to Chapter 5 of Division 3 of the Harbors and Navigation Code, relating to boating safety.

Bill read second time.

Assembly Bill 2631—An act to add Division 37 (commencing with Section 71500) to the Public Resources Code, relating to natural resources.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Energy, Utilities and Communications

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

AB 594 AB 1157 AB 2509 AB 2924

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 594—An act to add Section 2828 to the Public Utilities Code, relating to solar energy systems, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1157—An act to amend Section 455.2 of, and to add Section 455.4 to, the Public Utilities Code, relating to public utilities.

Bill read second time.

Assembly Bill 2509—An act to add Chapter 5.5 (commencing with Section 2780) to Part 2 of Division 1 of the Public Utilities Code, relating to public utilities.

Bill read second time.

Assembly Bill 2924—An act to add Section 25407 to the Public Resources Code, relating to energy.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Date of Hearing, June 14, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

AB 1857	AB 2184	AB 2552	AB 2660
AB 2004	AB 2226	AB 2560	AB 3023
AB 2150	AB 2409	AB 2626	

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

FIGUEROA, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing, June 8, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 1814

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 1026 AB 1884

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1026—An act to amend Sections 23575 and 23578 of, and to add Section 23587 to, the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 1884—An act to amend Section 633 of the Penal Code, relating to privacy.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Date of Hearing, June 14, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

AB 1887 AB 2654

Reports the same back with the recommendation: Do pass.

FIGUEROA, Chair

Above bills ordered to second reading.

Date of Hearing, June 14, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

AB 2007 AB 2170 AB 2189 AB 2516

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

FIGUEROA, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, June 14, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

AB 1816 AB 2193

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

FIGUEROA, Chair

Above measures re-referred to the Committee on Rules.

Date of Hearing, June 14, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 2216

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Public Safety.

FIGUEROA, Chair

Above measure re-referred to the Committee on Public Safety.

Committee on Rules

Senate Chamber, June 14, 2004

Mr. President: The Committee on Rules has examined:

SB 1658

And reports that the same has been correctly enrolled, and presented to the Governor on the 14th day of June, 2004, at 3:45 p.m.

BURTON, Chair

Committee on Business and Professions

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 1721

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 1721—An act to amend Section 12024.2 of the Business and Professions Code, relating to prices.

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 15, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1143	AB 1910	AB 1961	AB 2252
AB 2261	AB 2521	AB 2580	AB 2783

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 1143—An act to amend Section 1985.3 of the Code of Civil Procedure, relating to Internet communications.

Bill read second time.

Assembly Bill 1910—An act to amend Sections 7611 and 7630 of the Family Code, to add Chapter 4.4 (commencing with Section 1644.7) to Division 2 of the Health and Safety Code, to amend Sections 10172 and 10172.5 of the Insurance Code, and to amend Section 6453 of, and to add Sections 249.5, 249.6, 249.7, and 249.8 to, the Probate Code, relating to probate.

Bill read second time.

Assembly Bill 1961—An act to add Article 4 (commencing with Section 116022) to Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, relating to water public safety.

Bill read second time.

Assembly Bill 2252—An act to amend Sections 11000, 11000.1, 11004.5, 11018.1, and 11018.5 of, to add Chapter 2 (commencing with Section 11210) to Part 2 of Division 4 of, to repeal Sections 11004.6, 11018.8, 11018.9, 11018.10, 11018.11, and 11024 of, and to repeal Article 8.5 (commencing with Section 10250) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, to amend Sections 1365.1, 1367.1, 1689.5, and 1689.24 of the Civil Code, to amend Section 30610 of the Public Resources Code, and to amend Sections 998, 2188.8, 2188.9, and 7280 of the Revenue and Taxation Code, relating to time-share developments.

Bill read second time.

Assembly Bill 2261—An act to amend, repeal, and add Section 10006 of, and to add Sections 10006.5 and 10156.9 to, the Business and Professions Code, relating to real estate.

Bill read second time.

Assembly Bill 2521—An act to add Sections 6254.18 and 27522 to the Government Code, relating to autopsy reports.

Bill read second time.

Assembly Bill 2580—An act to amend Sections 297.5 and 299 of the Family Code, and to amend Section 14771 of the Government Code, relating to domestic partnerships.

Bill read second time.

Assembly Bill 2783—An act to add Section 27388.5 to the Government Code, relating to recording fees.

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 15, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which were referred:

AB 1850 AB 3071 AB 3073

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1850—An act to amend Section 470 of, and to add Sections 470.1, 470.2, 470.3, 470.4, and 470.5 to, the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Assembly Bill 3071—An act to amend Section 18533 of, and to repeal Section 7057 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 3073—An act to amend Section 23802 of the Revenue and Taxation Code, relating to taxation, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 2158

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2158—An act to amend Section 65582 of, to add Sections 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, and 65584.07 to, and to repeal and add Section 65584 of, the Government Code, relating to general plans.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Elections and Reapportionment

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Elections and Reapportionment, to which was referred:

AB 1623

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 1623—An act to amend Section 8020 of the Elections Code, relating to elections.

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, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which was referred:

AB 1831

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1831—An act to add Section 8592.10 to the Government Code, relating to homeland security.

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 15, 2004

Mr. President: The Committee on Governmental Organization, to which were referred:

AB 2207 AB 2296 AB 2927 AB 3043

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.

VINCENT, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 2276

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

VINCENT, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 2994

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Natural Resources and Wildlife.

VINCENT, Chair

Above measure re-referred to the Committee on Natural Resources and Wildlife.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 1827

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Local Government with the recommendation: To Consent Calendar.

VINCENT, Chair

Above measure re-referred to the Committee on Local Government.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 1855

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VINCENT, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Appropriations

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 298

AB 1801

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 298—An act to add and repeal Section 56141 of the Education Code, relating to special education.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 298 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BATES

Permission of Rules Committee

Senate Chamber, June 15, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 298.

BURTON, Chair

Assembly Bill 1801—An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

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 8, 2004

Mr. President: The Committee on Public Safety, to which was referred: AB 2586

Reports the same back with the recommendation: Do pass as amended.

McPHERSON, Chair

Above measure ordered to second reading.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Public Safety, to which was referred: AB 2895

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 9, 2004

Mr. President: The Committee on Education, to which was referred: AB 2849

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Education, to which was referred: AB 2615

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.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Education, to which was referred:

AB 2370

Reports the same back with the recommendation: Do pass as amended.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 1185

AB 1636

AB 2455

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1185—An act to add Section 89762 to the Education Code, relating to postsecondary education.

Bill read second time.

Assembly Bill 1636—An act to amend Section 49558 of the Education Code, relating to pupil records.

Bill read second time.

Assembly Bill 2455—An act to amend Sections 60061, 60200, and 60223 of the Education Code, relating to instructional materials.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Date of Hearing, June 15, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which were referred:

AB 2470

AJR 65

AJR 69

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

MACHADO, Chair

Above measures ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which was referred:

AB 3046

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

MACHADO, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which were referred:

AB 1726 AB 2054 AB 2257 AB 2920
AB 3024 AB 3025 AB 3045

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

MACHADO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which were referred:

AB 2074 AB 2478

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.

MACHADO, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Natural Resources and Wildlife

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 496

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 496—An act to add and repeal Division 23.6 (commencing with Section 33807) of the Public Resources Code, relating to the Santa Ana River Conservancy.

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, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 442

AB 2706

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 442—An act to add and repeal Section 42122.5 of the Education Code, relating to school finance.

Bill read second time.

Assembly Bill 2706—An act to amend Sections 51870, 51871.5, 51874, 52295.20, 52295.25, 52295.30, and 52295.35 of, and to repeal Sections 51871.3 and 51871.4 of, the Education Code, relating to education technology.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Energy, Utilities and Communications

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

AB 1164

AB 1733

AB 2858

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 1164—An act to amend Section 2892.3 of the Public Utilities Code, relating to telecommunications.

Bill read second time.

Assembly Bill 1733—An act to amend Section 2891.1 of the Public Utilities Code, relating to telecommunications.

Bill read second time.

Assembly Bill 2858—An act to amend Section 5374 of, and to add Section 5384.7 to, the Public Utilities Code, relating to charter-party carriers of passengers.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2430

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2633

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2633—An act to add Sections 25163.4 and 25163.5 to the Health and Safety Code, to amend Section 40194 of, and to add Section 43032 to, the Public Resources Code, and to add Section 13287 to the Water Code, relating to grease.

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 15, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 1924

Reports the same back with the recommendation: Do pass.

McPHERSON, Chair

Above bill ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 1530

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Health and Human Services.

McPHERSON, Chair

Above measure re-referred to the Committee on Health and Human Services.

Committee on Public Employment and Retirement

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 2554

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 2554—An act to amend Sections 24216, 24216.5, and 24216.6 of the Education Code, relating to state teachers' retirement.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Public Safety

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 1433 AB 2173 AB 2288 AB 2395

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

McPHERSON, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Housing and Community Development

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 2376

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2376—An act to amend Sections 1357.120 and 1373 of, and to add Section 1378 to, the Civil Code, relating to common interest developments.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 1393 AB 2248

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 1393—An act to amend Sections 4648 and 4648.1 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time.

Assembly Bill 2248—An act to add Chapter 1.5 (commencing with Section 103860) to Part 2 of Division 102 of the Health and Safety Code, relating to public health.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 1822

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Business and Professions

Date of Hearing, June 14, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 2691

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 Public Safety

Date of Hearing, June 8, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 1914 AB 3092

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measures ordered to second reading.

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 1865

AB 2152

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1865—An act to add Section 3069 to the Penal Code, relating to parole.

Bill read second time.

Assembly Bill 2152—An act relating to sentencing.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Date of Hearing, June 9, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 1913

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Public Safety with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, June 15, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2756

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2756—An act to amend Sections 33127, 33128, 41320.1, 41326, 41326.1, 41327, 41328, 41474, 42127, 42127.1, 42127.6, and 42127.8 of, and to add Sections 41327.1, 41327.2, and 42101 to, the

Education Code, and to amend Sections 3540.2, 3547.5, and 53260 of the Government Code, relating to school districts, and declaring the 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.

Committee on Rules

State Capitol, June 15, 2004

The Committee on Rules has referred the following measures to committee:

Education—ACR 193.

Revenue and Taxation—AB 2722.

The Committee on Rules has re-referred the following measures to committee:

Agriculture and Water Resources—AB 3031.

Business and Professions—AB 1725.

Education—AB 61, AB 1790.

Energy, Utilities and Communications—AB 2242.

Environmental Quality—AB 1369, AB 2466.

Governmental Organization—AB 955.

Judiciary—AB 358, AB 621, AB 1283, AB 2319.

Labor and Industrial Relations—AB 1362, AB 2684.

Public Safety—AB 1314.

Revenue and Taxation—AB 1187.

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 88: By Senator Ashburn—Relative to Valley Fever Awareness Month.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Joint Resolution 30—Relative to federal environmental permit and review process streamlining.

Resolution read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 389—An act to add Chapter 6.10.1 (commencing with Section 25403) to Division 20 of the Health and Safety Code, relating to hazardous substances.

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 Rules.

Assembly Bill 1894—An act to add Section 1536.5 to the Penal Code, relating to business records.

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 1836—An act to amend Sections 1354 , 1357.120, and 1366.3 of, to amend and renumber Section 1368.4 of, and to add Article 5 (commencing with Section 1363.810) to Chapter 4 of, and Article 1 (commencing with Section 1368.3) and Article 2 (commencing with Section 1369.510) to Chapter 7 of, Title 6 of Part 4 of Division 2 of, the Civil Code, and to repeal Section 383 of the Code of Civil Procedure, relating to common interest developments.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Assembly Bill 3032—An act to amend Sections 8875.8 and 8875.9 of the Government Code, relating to seismic safety.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2593—An act to amend Section 379.6 of the Public Utilities Code, relating to public utilities.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2072—An act to amend Section 660 of, and to add and repeal Section 660.2 of, the Harbors and Navigation Code, relating to vessels.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2810—An act to amend Section 4612 of the Public Resources Code, relating to forest resources.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 2388—An act to amend Section 8670.23 of the Government Code, relating to harbors.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2026—An act to amend Section 18987.5 of the Welfare and Institutions Code, relating to children, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2877—An act to amend Section 25150.6 of the Health and Safety Code, relating to hazardous waste.

Bill read second time and ordered to third reading.

Assembly Bill 539—An act to amend Sections 1725 and 1766 of the Business and Professions Code, relating to healing arts, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 434—An act to add Section 53856.2 to the Government Code, relating to temporary borrowing by the City of Richmond, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2062—An act to add Section 1194 to the Civil Code, and to amend Sections 8201, 8201.2, and 8206 of the Government Code, relating to notaries public.

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 2292—An act to add Section 3105 to the Family Code, and to add Section 1602 to the Probate Code, relating to visitation.

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 1704—An act to amend Section 724.060 of the Code of Civil Procedure, to amend Sections 4014, 4202, 5002, 17400, 17406, 17432, and 17500 of, and to add Section 5003 to, the Family Code, to amend Sections 27282 and 71622 of the Government Code, to amend Section 19271.6 of the Revenue and Taxation Code, and to amend Section 827 of the Welfare and Institutions Code, relating to family law.

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 1859—An act to add Section 17350.5 to the Corporations Code and to amend Sections 17941 and 17945 of the Revenue and Taxation Code, relating to limited liability companies.

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 2687—An act to amend Sections 58, 7601, 7602, 7603, 7620, 7622, 7660, 7661, and 7666 of the Probate Code, and Section 4986.6 of the Revenue and Tax Code, relating to public administrators.

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 2814—An act to amend Section 21167.6.5 of the Public Resources Code, relating to natural resources.

Bill read second time and ordered to third reading.

Assembly Bill 2922—An act to amend Section 21159.24 of the Public Resources Code, relating to environmental quality.

Bill read second time and ordered to third reading.

Assembly Bill 1493—An act to amend Section 7052 of the Health and Safety Code, relating to human remains.

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 2151—An act to add Section 16001.10 to the Welfare and Institutions Code, relating to adoption practices.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 987 and AB 2756 to be heard in the Committee on Appropriations without two days notice in the Daily File.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 2846** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations;

AB 1187 and **AB 2242** were withdrawn from the Committee on Local Government and re-referred to the Committee on Rules;

AB 2804 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules;

AB 466 and **AB 1414** were withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Rules;

AB 990 was withdrawn from the Committee on Revenue and Taxation and re-referred to the Committee on Rules;

AB 426 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

AB 2718 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Housing and Community Development.

REPORT OF STANDING COMMITTEE

Committee on Rules

State Capitol, June 15, 2004

The Committee on Rules has re-referred the following measure to two committees:

Governmental Organization and Rules—AB 990.

UNANIMOUS CONSENT GRANTED TO RESCIND ACTION (AB 509)

Without objection, unanimous consent was granted that the action be rescinded whereby AB 509 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 509

Assembly Bill 509—An act to amend Sections 19596.1 and 19596.2 of, and to add Section 19596.3 to, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 509 pursuant to Joint Rule 58.

ASSEMBLY MEMBER JEROME HORTON

Permission of Rules Committee

Senate Chamber, June 15, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 509.

Motion to Amend

Amendments to AB 509 proposed by Senator Vincent were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Agriculture and Water Resources**

AB 1071—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (1)—Senator Aanestad.

AB 1726—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Kuehl, Machado, Margett, Perata, and Torlakson.

NOES (1)—Senator Hollingsworth.

AB 2054—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (1)—Senator Aanestad.

AB 2074—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AB 2257—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AB 2470—Do pass, to Consent Calendar

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AB 2478—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AB 2717—Do pass as amended and re-refer to Committee on Appropriations

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AB 2734—Do pass as amended

AYES (2)—Senators Alpert and Hollingsworth.

NOES (2)—Senators Aanestad and Margett.

Failed passage

AB 2734—Reconsideration granted

AYES (7)—Senators Aanestad, Alpert, Ducheny, Hollingsworth, Machado, Margett, and Torlakson.

NOES (0)—None.

AB 2916—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alpert, Denham, and Florez.

NOES (2)—Senators Aanestad and Margett.

Failed passage

AB 2916—Reconsideration granted

AYES (8)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Machado, Margett, and Torlakson.

NOES (0)—None.

AB 2920—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Denham, Ducheny, Florez, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (1)—Senator Aanestad.

AB 2925—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Ducheny, Florez, Kuehl, Machado, Perata, and Torlakson.

NOES (1)—Senator Aanestad.

Failed passage

AB 2925—Reconsideration granted

AYES (11)—Senators Aanestad, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AB 3024—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AB 3025—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AB 3045—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Perata, Poochigian, and Torlakson.

NOES (2)—Senators Aanestad and Margett.

AB 3046—Do pass and re-refer to Committee on Rules

AYES (10)—Senators Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Perata, Poochigian, and Torlakson.

NOES (2)—Senators Aanestad and Margett.

AJR 65—Be adopted, to Consent Calendar

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

AJR 69—Be adopted, to Consent Calendar

AYES (12)—Senators Aanestad, Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Perata, Poochigian, and Torlakson.

NOES (0)—None.

Date of Hearing: 6/15/04

Machado (Chair)

Committee on Business and Professions**AB 1816**—Do pass and re-refer to Committee on Rules

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 1857—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Figueroa, Murray, and Vincent.

NOES (2)—Senators Aanestad and Brulte.

AB 1887—Do pass

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2004—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2007—Do pass and re-refer to Committee on Judiciary

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2150—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Figueroa, Machado, Murray, and Vincent.

NOES (2)—Senators Aanestad and Brulte.

AB 2168—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Figueroa, Machado, and Vincent.

NOES (2)—Senators Aanestad and Brulte.

AB 2170—Do pass and re-refer to Committee on Judiciary

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2184—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2189—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators Cedillo, Figueroa, Machado, and Vincent.

NOES (2)—Senators Aanestad and Brulte.

AB 2193—Do pass and re-refer to Committee on Rules

AYES (4)—Senators Cedillo, Figueroa, Murray, and Vincent.

NOES (2)—Senators Aanestad and Brulte.

AB 2216—Do pass and re-refer to Committee on Public Safety

AYES (5)—Senators Cedillo, Figueroa, Machado, Murray, and Vincent.

NOES (0)—None.

AB 2226—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2409—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2516—Do pass and re-refer to Committee on Judiciary

AYES (7)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, Murray, and Vincent.

NOES (0)—None.

AB 2552—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2560—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2626—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2654—Do pass

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2660—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

AB 2691—Do pass as amended and re-refer to Committee on Judiciary

AYES (5)—Senators Aanestad, Cedillo, Figueroa, Machado, and Vincent.

NOES (1)—Senator Brulte.

AB 3023—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Vincent.

NOES (0)—None.

Date of Hearing: 6/14/04

Figueroa (Chair)

Committee on Governmental Organization

AB 1827—Do pass and re-refer to Committee on Local Government, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 1855—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 2207—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 2276—Do pass, to Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 2296—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 2927—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 2994—Do pass and re-refer to Committee on Natural Resources and Wildlife

AYES (9)—Senators Battin, Brulte, Cedillo, Chesbro, Johnson, Karnette, Margett, Soto, and Vincent.

NOES (0)—None.

AB 3043—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Margett, Morrow, Soto, and Vincent.

NOES (0)—None.

Date of Hearing: 6/15/04

Vincent (Chair)

Committee on Public Employment and Retirement**AB 979**—Do pass, to Consent Calendar

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 1852—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 1875—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 2234—Do pass, to Consent Calendar

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2314—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2330—Do pass

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 2355—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2408—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 2680—Do pass, to Consent Calendar

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2711—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2753—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 2894—Do pass

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2956—Do pass

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 3008—Do pass

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 3076—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

Date of Hearing: 6/14/04

Soto (Chair)

Committee on Public Safety**AB 1009**—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (2)—Senators Margett and Romero.

Failed passage

AB 1009—Reconsideration granted

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.
NOES (0)—None.

AB 1433—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.
NOES (0)—None.

AB 1530—Do pass and re-refer to Committee on Health and Human Services

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.
NOES (0)—None.

AB 1567—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Sher.
NOES (0)—None.

AB 1653—Do pass as amended

AYES (1)—Senator Romero.
NOES (0)—None.
Failed passage

AB 1653—Reconsideration granted

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.
NOES (0)—None.

AB 1802—Do pass as amended

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.
NOES (0)—None.

AB 1924—Do pass

AYES (4)—Senators Margett, McPherson, Romero, and Sher.
NOES (0)—None.

AB 2001—Do pass as amended and re-refer to Committee on Transportation

AYES (1)—Senator Sher.
NOES (2)—Senators Margett and Romero.
Failed passage

AB 2001—Reconsideration granted

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.
NOES (0)—None.

AB 2136—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.
NOES (0)—None.

AB 2173—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2190—Do pass and re-refer to Committee on Governmental Organization

AYES (2)—Senators Romero and Vasconcellos.

NOES (2)—Senators Margett and McPherson.

Failed passage

AB 2190—Reconsideration granted

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2288—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Sher.

NOES (1)—Senator Vasconcellos.

AB 2395—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2428—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2450—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2527—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Sher, and Vasconcellos.

NOES (0)—None.

AB 2742—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2861—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 6/15/04

McPherson (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Oller.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

REQUEST TO ADJOURN IN MEMORIAM

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Phil Goldvarg of Sacramento.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, June 16, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, June 16, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—38.

Quorum present.

(NOTE: Senator Vincent will be excused this day due to family illness.)

REPORTS OF STANDING COMMITTEES

Committee on Energy, Utilities and Communications

Date of Hearing, June 8, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2303

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

AB 816 AB 1329 AB 2172

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 816—An act to amend Section 80110 of the Water Code, relating to electric power.

Bill read second time.

Assembly Bill 1329—An act to add Section 2895.5 to the Public Utilities Code, relating to telecommunications.

Bill read second time.

Assembly Bill 2172—An act to amend Section 14666.8 of the Government Code, to amend Section 280.5 of the Public Utilities Code, and to amend Section 1 of Chapter 820 of the Statutes of 2003, relating to telecommunications.

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 Wildlife

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which were referred:

AB 800 AB 2146

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 800—An act to amend Sections 30301 and 30514.1 of, to amend, repeal, and add Sections 30512, 30513, and 30514 of, and to repeal Section 30512.1 of, the Public Resources Code, relating to the California Coastal Commission.

Bill read second time.

Assembly Bill 2146—An act to amend Sections 8280, 9004, and 12002 of, and to add Sections 8276.1 and 8280.8 to the Fish and Game Code, relating to Dungeness crab, 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 Health and Human Services

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1794

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 1794—An act to amend Section 104339.6 of the Health and Safety Code, relating to spinal cord injury, 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 Employment and Retirement

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 1281

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 1281—An act to amend Section 31485.7 of, and to add Section 31651.55 to, the Government Code, relating to 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 Environmental Quality

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2657

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2657—An act to add and repeal Chapter 2 (commencing with Section 42100) of Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Revenue and Taxation

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which were referred:

AB 263

AB 382

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 263—An act to repeal and add Section 24410 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Assembly Bill 382—An act to add Division 13.7 (commencing with Section 21196) to the Public Resources Code, and to amend Section 17133 of the Revenue and Taxation Code, relating to tribal bonds.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 502

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 502—An act to add Section 9029.7 to the Government Code, relating to the Legislature.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 2523

Reports the same back with the recommendation: Do pass.

ESCUTIA, Chair

Above bill ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which were referred:
AB 2492 AB 3078

Reports the same back with the recommendation: Do pass and be placed
on the Consent Calendar.

ESCUTIA, Chair

Above measures ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 1776

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were
referred:

AB 1916 AB 2669 AB 2713

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 1916—An act to amend Section 7280 of, and to add
Sections 7283.5 and 7283.51 to, the Revenue and Taxation Code, relating
to taxation.

Bill read second time.

Assembly Bill 2669—An act to amend Section 695.221 of the Code
of Civil Procedure, and to amend Sections 4009, 4504, and 17402 of the
Family Code, relating to child support.

Bill read second time.

Assembly Bill 2713—An act to add Section 6068.1 to the Business and Professions Code, relating to attorneys.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2161

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.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Natural Resources and Wildlife

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which were referred:

AB 454

AB 1583

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 454—An act to add and repeal Division 9 (commencing with Section 9000) of the Harbors and Navigation Code, relating to harbors and ports.

Bill read second time.

Assembly Bill 1583—An act to add Section 30238 to the Public Resources Code, relating to coastal resources.

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 16, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which were referred:

AB 955

AB 2538

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 955—An act relating to state property.

Bill read second time.

Assembly Bill 2538—An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2538 pursuant to Joint Rule 58.

ASSEMBLY MEMBER STRICKLAND

Permission of Rules Committee

Senate Chamber, June 16, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 2538.

BURTON, Chair

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 1821 AB 2086

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 1821—An act to add and repeal Article 5 (commencing with Section 128550) of Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to nursing education.

Bill read second time.

Assembly Bill 2086—An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

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 16, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 20 AB 2012 AB 2078 AB 2611

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 20—An act to amend Sections 710, 765, 767, and 1109, of, and to add Section 177 to, the Evidence Code, and to amend Sections 288, 502.9, 515, 525, 859.1, 861.5, 868.7, 939.21, 1347.5, and 11166, of, and to add Section 1127g to, the Penal Code, and to amend Section 15630 of the Welfare and Institutions Code, relating to crime.

Bill read second time.

Assembly Bill 2012—An act to amend Section 1808.4 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read second time.

Assembly Bill 2078—An act to amend Sections 11100, 11100.1, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

Bill read second time.

Assembly Bill 2611—An act to amend Section 368 of the Penal Code, and to amend Section 15657 of, and to add Section 15657.5 to, the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 1, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AB 1240

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which were referred:

AB 2348

AB 2838

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2348—An act to amend Sections 65583, 65583.1, 65589.5, and 65915 of, and to add Section 65583.2 to, the Government Code, relating to housing.

Bill read second time.

Assembly Bill 2838—An act to amend Section 50650.3 of the Health and Safety Code, relating to housing, 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 Labor and Industrial Relations

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 1825

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 1825—An act to add Section 12950.1 to the Government Code, relating to employment practices.

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 16, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 2499

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 2499—An act to add Sections 25142, 25308, 25309, and 25310 to the Public Resources Code, relating to energy resources.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Transportation

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which were referred:

AB 279	AB 2040	ACR 156	ACR 180
AB 1787	ACR 133	ACR 162	ACR 185
AB 1951	ACR 142	ACR 163	
AB 2027	ACR 151	ACR 179	

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.

MURRAY, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which were referred:

AB 2568	AB 2721
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Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Public Safety.

MURRAY, Chair

Above measures re-referred to the Committee on Public Safety.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 2566

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred:
SB 1160

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

MURRAY, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 1971

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Environmental Quality.

MURRAY, Chair

Above measure re-referred to the Committee on Environmental Quality.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred: ACR 145

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which were referred:

AB 1138

AJR 74

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

MURRAY, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred: AB 2201

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary with the recommendation: To Consent Calendar.

MURRAY, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Rules

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 3085

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3085—An act to repeal Section 23323 of the Business and Professions Code, relating to alcoholic beverages.

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 16, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 1353

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1353—An act to add Section 13269.1 to the Water Code, relating to water.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Date of Hearing, June 16, 2004

Mr. President: The Committee on Appropriations, to which were referred:

AB 987

AB 2756

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Committee on Transportation

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which were referred:

AB 517

AB 1798

AB 2085

AB 2844

Reports the same back with the recommendation: Do pass.

MURRAY, Chair

Above bills ordered to second reading.

Committee on Business and Professions

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 1074

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 1074—An act to add Section 18713 to the Business and Professions Code, relating to boxing.

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 16, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 1933

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ESCIUTIA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1933—An act to amend Sections 6252, 6253, and 6254 of the Government Code, relating to public records.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Elections and Reapportionment

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

SCA 18

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Constitutional Amendments with the recommendation: To Consent Calendar.

PERATA, Chair

Above measure re-referred to the Committee on Constitutional Amendments.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

AB 2091

Reports the same back with the recommendation: Do pass.

PERATA, Chair

Above bill ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which were referred:

AB 2451 AB 3098 AB 3099 AB 3100

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

PERATA, Chair

Above measures ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which were referred:

AB 714 AB 890 AB 2917

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

PERATA, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which were referred:

AB 2790 AB 2842 AB 2854
AB 3101 AB 3102

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.

PERATA, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Natural Resources and Wildlife

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 2529

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 2529—An act to amend Section 30906 of, and to add Chapter 3.5 (commencing with Section 30920) to Division 20.4 of, the Public Resources Code, relating to water.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, June 16, 2004

Mr. President: The Committee on Education, to which were referred:

AB 61 AB 1897 AB 2373 AB 2504

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Appropriations.

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 2462 AB 2567 AB 2678

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2462—An act to amend Section 42238.15 to the Education Code, relating to school transportation.

Bill read second time.

Assembly Bill 2567—An act to add Section 17071.50 to the Education Code, relating to school facilities.

Bill read second time.

Assembly Bill 2678—An act to add Chapter 1.5 (commencing with Section 99040) to Part 65 of the Education Code, relating to public postsecondary education.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Education, to which was referred:

AB 2485

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Environmental Quality.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Environmental Quality.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Education, to which were referred:

AB 56 AB 242 AB 1550

AB 2362 AB 2614

Reports the same back with the recommendation: Do pass.

VASCONCELLOS, Chair

Above bills ordered to second reading.

Committee on Health and Human Services

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 2536 AB 2973 AB 3044

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 2536—An act to add Part 5.6 (commencing with Section 19959.10) to Division 13 of the Health and Safety Code, relating to building accessibility.

Bill read second time.

Assembly Bill 2973—An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 3044—An act to add Section 1264 to the Health and Safety Code, relating to prenatal testing.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which were referred:

AB 1908 AB 2734

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 1908—An act to amend Sections 31053 and 31054 of the Water Code, relating to water.

Bill read second time.

Assembly Bill 2734—An act to repeal Section 1007 of the Fox Canyon Groundwater Management Agency Act (Chapter 1023 of the

Statutes of 1982), relating to the Fox Canyon Groundwater Management Agency, and declaring the urgency thereof, to take effect immediately.

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 16, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which were referred:

AB 2277

AB 2901

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2277—An act to add and repeal Section 42176 of the Public Resources Code, relating to solid waste.

Bill read second time.

Assembly Bill 2901—An act to add Article 10.4 (commencing with Section 25214.50) to Chapter 6.5 of Division 20 of the Health and Safety Code, and to add Chapter 8.6 (commencing with Section 42490) to Part 3 of Division 30 of the Public Resources Code, relating to hazardous and solid waste.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, June 16, 2004

Mr. President: The Committee on Education, to which was referred:

AB 2469

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.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Education, to which was referred:

AB 2457

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Business and Professions.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Business and Professions.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Education, to which were referred:

AB 1696 AB 2512 AB 2913

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, June 9, 2004

Mr. President: The Committee on Education, to which was referred:

AB 1175

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Public Safety

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 1808

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1808—An act to add Section 308.8 to the Penal Code, relating to crimes.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 107

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 107—An act to add Sections 79522 , 79522.5, and 79522.7 to the Water Code, relating to water.

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 16, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2228

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 2228—An act to add Section 1514.5 to the Probate Code, to amend Section 827 of, and to add Section 204 to, the Welfare and Institutions Code, relating to minors.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 711

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 711—An act to amend Sections 94905 of, and to add Sections 94735.7 and 94740.1 to, 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 Local Government

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Local Government, to which was referred:

AB 1827

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1827—An act to amend Sections 11125.4 and 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

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 16, 2004

Mr. President: The Committee on Local Government, to which were referred:

AB 1930

AB 2031

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.

TORLAKSON, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which were referred:

AB 474

AB 1268

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

TORLAKSON, Chair

Above measures ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 3077

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.

TORLAKSON, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 969

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.

TORLAKSON, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which were referred:

AB 1936

AB 2306

Reports the same back with the recommendation: Do pass.

TORLAKSON, Chair

Above bills ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 2558

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

TORLAKSON, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 1903

Reports the same back with the recommendation: Do pass as amended.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, June 16, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 61

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

UNANIMOUS CONSENT TO READ BILLS A SECOND TIME

Without objection, AB 61, AB 987 and AB 2756 will be given their second reading upon being reported by committee.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 2152** was withdrawn from the Committee on Public Safety and re-referred to the Committee on Rules;

AB 2193 was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations;

AB 2396 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules;

AB 442 and **AB 1185** were withdrawn from the Committee on Education and re-referred to the Committee on Rules; and

AB 1408 was withdrawn from the Committee on Transportation and re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 2330—An act to add Section 50980 to the Government Code, relating to volunteer firefighters.

Bill read second time and ordered to third reading.

Assembly Bill 2894—An act to add Section 31874.6 to the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 2956—An act to amend Section 31453 of the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 3008—An act to add Section 31485.11 to the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 979—An act to amend Sections 31520.5, 31704, and 31789.5 of, to amend and renumber Section 31537 of, and to add Sections 31764.5, 31764.6, and 31764.7 to, the Government Code, relating to county employees' retirement.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2234—An act to amend Sections 31485.7, 31485.8, 31486.2, 31486.6, 31489, 31490, 31492, 31494.1, 31494.3, 31495.5, 31499.2, 31499.12, and 54957.1 of, to add Sections 31490.5, 31522.6, and 54956.81 to, and to repeal and add Sections 31486.3, 31499.3, and 31499.13 of, the Government Code, relating to county employees' retirement.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2680—An act to amend Section 22375 of the Education Code, and to amend Section 20195 of the Government Code, relating to the State Teachers' Retirement System.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1814—An act to add Section 487h to the Penal Code, relating to theft.

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 1887—An act to amend Section 13534 of the Business and Professions Code, relating to motor fuel advertising.

Bill read second time and ordered to third reading.

Assembly Bill 2654—An act to amend Section 810 of the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 2276—An act to amend Section 19641.2 of the Business and Professions Code, relating to horse racing.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2586—An act to add and repeal Section 4019.1 to the Penal Code, relating to prisoners.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2895—An act to amend Sections 836, 13700, and 13701 of the Penal Code, relating to domestic violence.

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 2849—An act to amend Section 66602 of the Education Code, relating to the California State University.

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 2615—An act to amend Sections 71020, 78032, and 84040.6 of, and to repeal Sections 66755 and 67359.16 of, the Education Code, relating to public postsecondary education.

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 2370—An act to add Section 51207 to the Education Code, relating to courses of study.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2470—An act to amend Section 2079.10 of the Civil Code, and to amend Section 375.5 of the Water Code, relating to water.

Bill read second time and ordered to Consent Calendar.

Assembly Joint Resolution 65—Relative to the Soboba Band of Luiseno Indians.

Resolution read second time and ordered to Consent Calendar.

Assembly Joint Resolution 69—Relative to specialty crops.

Resolution read second time and ordered to Consent Calendar.

Assembly Bill 2430—An act to amend Sections 5500 and 5501 of, and to add Section 5513 to, the Public Utilities Code, relating to commercial air carriers, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Assembly Bill 1924—An act to amend Sections 4299 and 4376 of the Public Resources Code, relating to fire prevention.

Bill read second time and ordered to third reading.

Assembly Bill 1822—An act to amend Section 120335 of the Health and Safety Code, relating to school children immunization.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2691—An act to amend Sections 22443.1 and 22443.3 of, and to repeal Section 22442.4 of the Business and Professions Code, relating to immigration consultants.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Assembly Bill 1914—An act to amend Section 32500 of, and to add Sections 32501, 32502, and 32503 to, the Education Code, and to repeal Section 2053.4 of the Penal Code, relating to education in state prisons.

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 3092—An act to amend Section 25755 of, and to add Section 22974.6 to, the Business and Professions Code, and to amend Section 308 of the Penal Code, relating to cigarettes.

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 509—An act to amend Sections 19596.1 and 19596.2 of, and to add Section 19596.3 to, the Business and Professions Code, relating to horse racing, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1913—An act to amend Section 319 of, to amend and repeal Section 309 of, and to repeal and amend Section 361.4 of, the Welfare and Institutions Code, relating to foster care.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Public Safety.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 987—An act to amend Section 42285.3 of the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2756—An act to amend Sections 33127, 33128, 41320.1, 41326, 41326.1, 41327, 41328, 41474, 42127, 42127.1, 42127.6, and 42127.8 of, and to add Sections 41327.1, 41327.2, and 42101 to, the Education Code, and to amend Sections 3540.2, 3547.5, and 53260 of the

Government Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 61—An act to add and repeal Section 71093 of the Education Code, relating to the Compton Community College District, and declaring the urgency thereof, to take effect immediately.

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.

SENATE COMMITTEE ROLL CALLS

Committee on Appropriations

AB 987—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Johnson, Karnette, Machado, Poochigian, and Speier.

NOES (0)—None.

AB 2756—Do pass

AYES (10)—Senators Aanestad, Alpert, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Poochigian, and Speier.

NOES (1)—Senator Ashburn.

Date of Hearing: 6/16/04

Alpert (Chair)

Committee on Education

AB 56—Do pass

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 61—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, and Vasconcellos.

NOES (0)—None.

AB 242—Do pass

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, and Vasconcellos.

NOES (1)—Senator Denham.

AB 1550—Do pass

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 1696—Do pass, to Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 1846—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 1897—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, and Sher.

NOES (1)—Senator Denham.

AB 1999—Be adopted and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2339—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Chesbro, Karnette, Sher, Speier, and Vasconcellos.

NOES (4)—Senators Alpert, Denham, McPherson, and Scott.

Failed passage

AB 2339—Reconsideration granted

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2362—Do pass

AYES (9)—Senators Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 2373—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2457—Do pass and re-refer to Committee on Business and Professions

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2469—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2485—Do pass and re-refer to Committee on Environmental Quality

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2504—Do pass and re-refer to Committee on Health and Human Services

AYES (9)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, and Vasconcellos.

NOES (0)—None.

AB 2512—Do pass, to Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2614—Do pass

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 2841—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 2913—Do pass, to Consent Calendar

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

ACR 177—Be adopted as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, and Sher.

NOES (0)—None.

Date of Hearing: 6/16/04

Vasconcellos (Chair)

Committee on Elections and Reapportionment

SCA 14—Do pass as amended and re-refer to Committee on Constitutional Amendments

AYES (3)—Senators Escutia, Murray, and Perata.

NOES (0)—None.

SCA 18—Do pass and re-refer to Committee on Constitutional Amendments, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Pochigian.

NOES (0)—None.

AB 714—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Murray, and Perata.

NOES (0)—None.

AB 890—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 1784—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Perata, and Poochigian.

NOES (0)—None.

AB 1785—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Perata, and Poochigian.

NOES (0)—None.

AB 1980—Do pass as amended

AYES (4)—Senators Escutia, Johnson, Murray, and Perata.

NOES (0)—None.

AB 2079—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Murray, and Perata.

NOES (1)—Senator Johnson.

AB 2091—Do pass

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 2451—Do pass, to Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 2454—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Murray, and Perata.

NOES (2)—Senators Johnson and Poochigian.

AB 2748—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 2790—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 2842—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 2854—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 2917—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Murray, and Perata.

NOES (1)—Senator Johnson.

AB 2941—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 3098—Do pass, to Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 3099—Do pass, to Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 3100—Do pass, to Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 3101—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

AB 3102—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Escutia, Johnson, Murray, Perata, and Poochigian.

NOES (0)—None.

Date of Hearing: 6/16/04

Perata (Chair)

Committee on Judiciary

AB 129—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 252—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 320—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Ducheny, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

Failed passage

AB 320—Reconsideration granted

AYES (4)—Senators Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 1776—Do pass as amended

AYES (4)—Senators Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 1990—Do pass as amended

AYES (6)—Senators Ackerman, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2010—Do pass as amended

AYES (4)—Senators Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2092—Do pass as amended

AYES (4)—Senators Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2137—Do pass as amended

AYES (5)—Senators Ackerman, Cedillo, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2161—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2347—Do pass as amended, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2445—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 2492—Do pass, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2523—Do pass

AYES (4)—Senators Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 2530—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Ducheny, Escutia, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

Failed passage

AB 2530—Reconsideration granted

AYES (4)—Senators Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 2674—Do pass as amended

AYES (5)—Senators Ackerman, Cedillo, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 2872—Do pass as amended

AYES (5)—Senators Ackerman, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 2876—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 2932—Do pass as amended, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 3078—Do pass, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

Date of Hearing: 6/15/04

Escutia (Chair)

Committee on Local Government**AB 474**—Do pass, to Consent Calendar

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 969—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1075—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1268—Do pass, to Consent Calendar

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1903—Do pass as amended

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1930—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 1936—Do pass

AYES (5)—Senators Ackerman, Machado, Margett, Soto, and Torlakson.

NOES (0)—None.

AB 2031—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 2055—Do pass as amended

AYES (5)—Senators Machado, Margett, Perata, Soto, and Torlakson.

NOES (2)—Senators Ackerman and Hollingsworth.

AB 2279—Do pass

AYES (1)—Senator Soto.

NOES (3)—Senators Ackerman, Hollingsworth, and Margett.

Failed passage

AB 2279—Reconsideration granted

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 2306—Do pass

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, and Soto.

NOES (1)—Senator Torlakson.

AB 2318—Do pass as amended and re-refer to Committee on Judiciary

AYES (4)—Senators Machado, Margett, Soto, and Torlakson.

NOES (2)—Senators Ackerman and Hollingsworth.

AB 2558—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Hollingsworth, Machado, Margett, and Soto.

NOES (0)—None.

AB 2676—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 2805—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Machado, Perata, Soto, and Torlakson.

NOES (3)—Senators Ackerman, Hollingsworth, and Margett.

AB 3065—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 3077—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

Date of Hearing: 6/16/04

Torlakson (Chair)

Committee on Transportation

SB 1160—Do pass and re-refer to Committee on Rules

AYES (7)—Senators Figueroa, Florez, Murray, Perata, Scott, Soto, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

SCR 84—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 279—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 338—Do pass as amended and re-refer to Committee on Environmental Quality

AYES (8)—Senators Brulte, Figueroa, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (3)—Senators Ashburn, Florez, and McClintock.

AB 340—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 392—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Figueroa, Florez, Perata, and Scott.

NOES (3)—Senators Brulte, McClintock, and Morrow.

Failed passage

AB 392—Reconsideration granted

AYES (13)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 517—Do pass

AYES (9)—Senators Ashburn, Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (3)—Senators Brulte, McClintock, and Morrow.

AB 1138—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 1272—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

AB 1787—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 1798—Do pass

AYES (9)—Senators Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Speier, and Torlakson.

NOES (2)—Senators Ashburn and Brulte.

AB 1951—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 1971—Do pass and re-refer to Committee on Environmental Quality

AYES (8)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 2027—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 2040—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 2085—Do pass

AYES (8)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

AB 2139—Do pass

AYES (6)—Senators Figueroa, Karnette, Murray, Perata, Scott, and Torlakson.

NOES (5)—Senators Ashburn, Brulte, Florez, McClintock, and Morrow.

Failed passage

AB 2139—Reconsideration granted

AYES (13)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2201—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 2566—Do pass, to Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 2568—Do pass and re-refer to Committee on Public Safety

AYES (7)—Senators Figueroa, Florez, Karnette, Perata, Scott, Speier, and Torlakson.

NOES (3)—Senators Brulte, McClintock, and Morrow.

AB 2628—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Speier, and Torlakson.

NOES (1)—Senator Ashburn.

AB 2644—Do pass as amended

AYES (8)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Morrow.

AB 2721—Do pass and re-refer to Committee on Public Safety

AYES (7)—Senators Figueroa, Florez, Karnette, Perata, Scott, Speier, and Torlakson.

NOES (3)—Senators Brulte, McClintock, and Morrow.

AB 2844—Do pass

AYES (10)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AB 3050—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (1)—Senator Ashburn.

ACR 67—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Brulte, Figueroa, Morrow, Murray, Perata, and Scott.

NOES (2)—Senators Karnette and McClintock.

Failed passage

ACR 67—Reconsideration granted

AYES (13)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

ACR 133—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 142—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 145—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 151—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 152—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 156—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 162—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 163—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 179—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 180—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

ACR 185—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Speier, and Torlakson.

NOES (0)—None.

AJR 63—Do pass

AYES (4)—Senators Ashburn, Brulte, Figueroa, and McClintock.

NOES (3)—Senators Florez, Scott, and Torlakson.

Failed passage

AJR 63—Reconsideration granted

AYES (13)—Senators Ashburn, Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AJR 74—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Speier, and Torlakson.

NOES (1)—Senator Ashburn.

Date of Hearing: 6/15/04

Murray (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to family illness: Senator Vincent.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 8:30 a.m., Thursday, June 17, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, June 17, 2004

The Senate met at 8:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—38.

Quorum present.

(NOTE: Senator Vincent will be excused this day due to a family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Today, Lord, a new day laid open before us. Grant that we may accept it gladly. That we may dance into it, carrying with us the joy of resurrection; the peace of self-giving; love that gives and forgives. Let us delight in this day as a child delights in all that is new. For today is the day that You have made. Let us rejoice and be glad.—AMEN.

(adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Aanestad led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, June 16, 2004

Mr. President: The Committee on Rules has examined:

SJR 16 SJR 28

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 16th day of June, 2004, at 3:45 p.m.

BURTON, Chair

Committee on Housing and Community Development

Date of Hearing, June 7, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 224

Reports the same back with the recommendation: Do pass as amended.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Elections and Reapportionment

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

AB 2079

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

PERATA, Chair

Above measure ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

AB 2941

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

PERATA, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Rules

Senate Chamber, June 16, 2004

Mr. President: The Committee on Rules has examined:

SB 1021 SB 1172 SB 1341 SB 1350

And reports that the same have been correctly enrolled, and presented to the Governor on the 16th day of June, 2004, at 3:45 p.m.

BURTON, Chair

Committee on Labor and Industrial Relations

Senate Chamber, June 17, 2004

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 2870

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 2870—An act to amend Sections 12903, 12928, 12935, 12942, 12945, 12955, 12963.3, 12970, 12972, 12973, 12987, 12987.1, and 12989.2 of the Government Code, relating to employment.

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 17, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 70

AB 2479

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 70—An act to amend Section 502.01 of the Penal Code, relating to identity theft.

Bill read second time.

Assembly Bill 2479—An act to amend Section 53155 of the Government Code, relating to emergency services.

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 17, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which were referred:

AB 2672 AB 2880 AB 2883

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2672—An act to amend Sections 72400, 72410, 72421, and 72440 of, and to add Section 72425 to, the Public Resources Code, relating to vessels.

Bill read second time.

Assembly Bill 2880—An act to amend Sections 41081 and 44225 of the Health and Safety Code, and to amend Section 9250.2 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2883—An act to amend Section 5 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara Valley Water District.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, June 17, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 1224

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1224—An act relating to sex offender registration, 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 8, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AJR 56

Reports the same back with the recommendation: Be adopted as amended.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Senate Chamber, June 17, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 2918

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 2918—An act to add Section 747 to the Public Utilities Code, relating to desalination facilities.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Senate Chamber, June 17, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 2638

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2638—An act to add Section 6252.5 to the Government Code, and to add Section 18948.1 to the Health and Safety Code, relating to building standards.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Constitutional Amendments

Senate Chamber, June 17, 2004

Mr. President: The Chair of the Committee on Constitutional Amendments, to which was referred:

SCA 18

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

POOCHIGIAN, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of Article II thereof, and by adding Section 9 to Article III thereof, thereof, relating to state government.

Resolution 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 ASSEMBLY BILLS**

Assembly Bill 2303—An act to add Section 451.5 to the Public Utilities Code, relating to public utilities.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2523—An act to amend Section 11571.1 of the Health and Safety Code, relating to controlled substances.

Bill read second time and ordered to third reading.

Assembly Bill 2492—An act to amend Section 8811.5 of the Family Code, relating to adoption.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3078—An act to amend Sections 116.410, 411.20, 1005, 2024, and 2034 of, and to add Section 2016.060 to, the Code of Civil Procedure, relating to procedure.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1776—An act to amend Section 2105 of the Corporations Code, and to amend Section 7480 of the Government Code, relating to production of records.

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 2161—An act to amend Sections 10136, 10138, 10139, and 10139.5 of the Insurance Code, relating to structured settlements.

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 1240—An act to amend Sections 1522, 1568.09, 1569.17, and 1596.871 of the Health and Safety Code, relating to care facilities.

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 2566—An act to amend Section 654.05 of the Harbors and Navigation Code, relating to boating.

Bill read second time and ordered to Consent Calendar.

Assembly Concurrent Resolution 145—Relative to the Martin L. Ganz Memorial Highway.

Resolution read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 517—An act to amend Section 21455.5 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1798—An act to add Section 22507.1 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2085—An act to amend Section 369b of the Penal Code, and to amend Sections 22526 and 42001.16 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2844—An act to amend Section 27801 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2091—An act to amend Section 8020 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 2451—An act to repeal Section 11382 of the Elections Code, relating to elections.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3098—An act to amend Section 9160 of the Elections Code, relating to voting.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3099—An act to repeal Section 11382 of the Elections Code, relating to recall elections.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3100—An act to amend Section 9042 of the Elections Code, relating to state elections.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 56—An act relating to child preschool programs.

Bill read second time and ordered to third reading.

Assembly Bill 242—An act relating to teachers.

Bill read second time and ordered to third reading.

Assembly Bill 1550—An act relating to public education.

Bill read second time and ordered to third reading.

Assembly Bill 2362—An act to amend Section 56505 of the Education Code, relating to special education.

Bill read second time and ordered to third reading.

Assembly Bill 2614—An act to amend Sections 20111.5 and 20112 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Assembly Bill 1696—An act to amend Section 60041 of the Education Code, and to amend Sections 71300, 71301, 71302, 71303, 71304, and 71305 of the Public Resources Code, relating to instructional materials.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2512—An act to amend Section 51221.4 of the Education Code, relating to curriculum.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2913—An act to amend Section 44253.10 of the Education Code, relating to teaching credentials.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1175—An act to amend Sections 44775.1 and 44775.7 of, to add Section 44775.9 to, the Education Code, and to repeal Section 5 of Chapter 702 of the Statutes of 2002, relating to public schools.

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 474—An act to amend Sections 60201 and 60203 of, and to repeal Section 60202 of, the Government Code, relating to districts.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1268—An act to add Section 65302.4 to the Government Code, relating to land use.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1936—An act to add Chapter 6 (commencing with Section 51960) to Part 2 of Division 1 of Title 5 of the Government Code, to amend Section 50826 of the Health and Safety Code, to amend Section 4127 of the Public Resources Code, and to amend Section 2400 of the Vehicle Code, relating to local government organization.

Bill read second time and ordered to third reading.

Assembly Bill 2306—An act to amend Section 56376.5 of the Government Code, relating to local agency reorganization.

Bill read second time and ordered to third reading.

Assembly Bill 1903—An act to add Section 65008.7 to the Government Code, relating to land use.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed and to third reading.

CONSENT CALENDAR

Objections Raised

Senator Ortiz objected to **AB 2680** being on the Consent Calendar.

The President ordered **AB 2234** removed from the Consent Calendar.

The President ordered the above measures placed on the third reading file.

Assembly Bill 1264—An act to amend Sections 4216, 4216.2, and 4216.8 of the Government Code, relating to excavation equipment.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3082—An act to amend Sections 511.3, 853, 2241.5, 2260, 3651, 4052, 4311, 4409, 4980.90, 7026.1, 7028, 12107.1, 13570, 17529.1, 17538.45, 17550.30, 17593, 18824, 18897.73, 22575, and

25503.4 of the Business and Professions Code, to amend Sections 51.10, 56.26, 800.100, 1102.16, 1103, 1542, 1785.30, 1786.24, 1789.21, 1798.83, 1798.85, 1799.1b, 1812.701, 1865, 2945.3, 2982, 2985.8, and 2988.9 of, and to amend and renumber Sections 1747.8 and 1747.9 of, the Civil Code, to amend Sections 715.010, 995.640, 1021.8, 1563, 1822.60, and 2023 of the Code of Civil Procedure, to amend Sections 2207, 13401.5, and 14010 of, and to amend and renumber Section 17655 of, the Corporations Code, to amend Sections 8266.1, 8813, 8825, 17077.45, 17334, 17360, 22852, 22854, 27403, 32265, 42238.41, 44279.2, 44328, 44735, 44830.3, 47634, 48200.7, 49414.5, 49452.6, 52015, 52054, 52055.615, 52055.625, 52055.655, 52128, 60061.8, 60640, 64201, 66271.8, 67359.13, 88033, 89539.2, 94779, 94901, 94944, 94990, and 99235 of the Education Code, to amend Sections 11105, 14310, and 18541 of the Elections Code, to amend Sections 917 and 956.5 of the Evidence Code, to amend Sections 4962 and 17600 of the Family Code, to amend Sections 216.3, 258, 645, 690, 777.5, 867, 1753, 1807, 1908, 3804, 14401, and 50122 of the Financial Code, to amend Sections 206, 1570, 1572, 1613, 7149.2, 7361, 7362, and 12011 of the Fish and Game Code, to amend Sections 6047.4, 6047.82, 27680, 27681, 27686, 27690, 30801, 52489, 65520, 66572, 66663, 74028, 78302, and 78690 of the Food and Agricultural Code, to amend Sections 912.8, 1091.4, 6254, 6254.17, 7072, 8220, 8592.4, 8869.84, 8880.325, 10205.1, 12012.30, 12080.3, 12598, 13995.20, 13995.40, 13995.42, 13995.58, 13995.65, 13995.74, 13997.1, 14055.2, 18215, 19063.1, 19582.1, 19826, 20035.2, 20035.3, 20035.4, 20035.10, 20235, 22013.97, 22825.12, 25358, 29550, 30061, 31520.5, 31755, 31762, 31776.3, 50061, 53088.2, 53895.5, 54222, 63049.4, 65919, 68085.5, 68086, 69927, 71806, 71828, 77202, and 95000 of, and to amend and renumber Sections 6215 and 20035.5 of, the Government Code, to amend Sections 138.6, 444.20, 1255, 1367.04, 1375.7, 1569.30, 1569.70, 1596.816, 1794.04, 11758, 13108.5, 17037.5, 17921.9, 17991, 25117.4.1, 25121.3, 25160.6, 25184.1, 25201.1, 25210.6, 25360.6, 25501, 32111, 33320.8, 33492.40, 39011.5, 39614, 39661, 40500.5, 40724.6, 41514.1, 41855.6, 50517.9, 51615, 53533, 101625, 104558, 106010, 115005, 121010, 127670, 127671, 127760, and 128401 of, to amend the heading of Chapter 8 (commencing with Section 127670) of Part 2 of Division 107 of, and to amend and renumber Sections 35987, 35988, 35989, 35990, and 35991 of, the Health and Safety Code, to amend Sections 881, 1063.53, 1067.08, 1104.9, 1280.7, 1776, 1861.025, 10113.2, 10133.56, 10133.8, 10178.4, 10764, 12144, 12671, 12693.55, 12975.7, 12975.8 of, and to amend and renumber Section 10089.45 of, the Insurance Code, to amend Sections 98.2, 141, 143.2, 2140.5, 2160.1, 2190, 2190.2, 2200, 2210, 3099, 3600.1, and 7304 of, and to amend and renumber Section 4610 of, the Labor Code, to amend Sections 186.8, 330b, 330.7, 597b, 597c, 1372, 1463.010, 6245, 11171, 11502, 12021, and 13864 of the Penal Code, to amend Sections 858, 6242, 19403, 20114.5, and 21320 of the Probate Code, to amend Sections 6106.5 and 10295.3 of the Public Contract Code, to amend Sections 2755, 2802, 3305, 3324, 5079.50, 14509.3, 14552.5,

14581, 30610.3, 36725, 40000, 41732, 42330, 42463, 42475.2, 45000, 45010, 50000, and 71210 of, and to amend the headings of Article 1 (commencing with Section 32630), Article 2 (commencing with Section 32633), Article 3 (commencing with Section 32639), Article 4 (commencing with Section 32657), and Article 5 (commencing with Section 32661) of Division 22.9 of, the Public Resources Code, to amend Sections 280.5, 353.2, 372, 374, 377.2, 379.6, 396, 399.12, 1701.3, and 21670.1 of the Public Utilities Code, to amend Sections 97.313, 155.20, 3691.6, 6077, 6361.1, 9405, 17132.6, 18407, 19164, 19179, 19777, 23036, 23736.1, 46622, and 55337 of the Revenue and Taxation Code, to amend Sections 104.7, 3114.5, 5101, 8833, 10100.2, and 31071 of the Streets and Highways Code, to amend Sections 2610, 3305, and 10200 of the Unemployment Insurance Code, to amend Sections 2813.5, 3072, 9250.13, 9400.1, 9400.3, 9951, 11515.2, 12509, 22100, 25803, 31032.1, 34620, and 35401.7 of the Vehicle Code, to amend Sections 1552, 13269, 13368, 13387, 13610, 13611, 13611.5, 36153, 72303, 78688, 79532, and 79561.5 of, and to amend and renumber Section 12749.95 of the Water Code, to amend Sections 779, 1000.7, 1703, 5657, 7200.06, 10063, 11025, 11052.5, 11373, 11468.6, 14016.5, 14043.75, 14087.6, 14105.981, 14123.25, 14132.22, 14133.3, 14148.91, 14408, 15657, 15657.03, 16121.05, 16501.6, and 18358 of the Welfare and Institutions Code, and to amend Section 1 of Chapter 68 of, and Section 13 of Chapter 673 of, the Statutes of 2003, relating to the maintenance of the codes.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2164—An act to amend Section 19605.73 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2649—An act to amend Section 3352 of the Labor Code, relating to workers' compensation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3018—An act to add Section 14000.5 to, and to repeal Section 15035 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 70—Relative to HIV and AIDS prevention and treatment for women.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Kuehl:

Senate Chamber, June 17, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(12) in order that AB 1788, AB 1808, AB 2064, AB 2186, AB 2280, AB 2378, AB 2600, AB 2631, AB 2665, AB 2673, AB 2777, AB 2875, AB 2915, AB 2994, and AB 3039 may be reported by the Committee on Natural Resources and Wildlife after the deadline and through July 2, 2004.

SENATOR KUEHL

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rule 61(b)(12) be dispensed with as requested.

Resolution read and presented by Senator Johnson.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 1936**, **AB 2330** and **AB 2586** were re-referred to the Committee on Appropriations.

RE-REFER TO COMMITTEE

Without objection **AB 1903** be re-referred to the Committee on Judiciary.

RECESS

At 9:50 a.m., on motion of Senator Burton the Senate recessed in order to convene in extraordinary session.

REASSEMBLED

At 9:51 a.m., the Senate reconvened.

Hon. John L Burton, of the 3rd District, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

Consideration of Assembly Amendments

Senate Bill 1190—An act relating to the Vallejo City Unified School District, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1190?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Chesbro moved a call of the Senate.

Motion carried.

Senator Romero Presiding

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2756—An act to amend Sections 33127, 33128, 41020.5, 41320.1, 41326, 41326.1, 41327, 41328, 41474, 42127, 42127.1, 42127.6, and 42127.8 of, and to add Sections 41327.1, and 41327.2 to, the Education Code, and to amend Sections 3540.2, 3547.5, and 53260 of the Government Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator McPherson.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (33)—Senators Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (5)—Senators Aanestad, Ashburn, McClintock, Morrow, and Oller.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (5)—Senators Aanestad, Ashburn, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 61—An act to add and repeal Section 71093 of the Education Code, relating to the Compton Community College District, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Scott.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1190)**

On motion of Senator Chesbro, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1190 was adopted by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz,

Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (8)—Senators Aanestad, Ashburn, Battin, Hollingsworth, Margett, McClintock, Morrow, and Oller.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (8)—Senators Aanestad, Ashburn, Battin, Hollingsworth, Margett, McClintock, Morrow, and Oller.

Above bill ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 115—An act to add Section 1947.3 to the Civil Code, relating to landlord and tenant.

Bill presented by Senator Torlakson.

The question being: Shall the Senate concur in the Assembly amendments to SB 115?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution 50—Relative to fuel cell vehicles.

Resolution read third time and presented by Senator Sher.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (30)—Senators Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Ortiz, Perata,

Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (4)—Senators Ackerman, Hollingsworth, McClintock, and Oller.

Resolution ordered transmitted to the Assembly.

Assembly Bill 356—An act to amend Sections 44650, 44651, 44652, 52055.655, 52057, 60851, and 60856 of, to amend, repeal, and add Sections 60603, 60604, 60605, 60605.6, 60606, 60640, 60642.5, 60643, and 60643.1 of, and to repeal Sections 44653, 44654, and 60859 of, the Education Code, relating to education testing.

Bill read third time and presented by Senator Kuehl.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Kuehl moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1840—An act to amend Section 4702 of the Labor Code, relating to workers' compensation.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (7)—Senators Ackerman, Brulte, Denham, Margett, McClintock, McPherson, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 434—An act to add Section 53856.2 to the Government Code, relating to temporary borrowing by the City of Richmond, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Perata.

Urgency Clause

Urgency clause read and refused adoption by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Motion to Reconsider (AB 434)

Senator Perata moved to reconsider the vote whereby AB 434 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Measure ordered returned to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1618—An act to add Section 7661 to the Public Utilities Code, relating to railroad corporations, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Escutia.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (32)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator Hollingsworth.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, Margett, McClintock, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Assembly Bill 2337—An act to amend Section 50078.1 of the Government Code, relating to fire suppression.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Karnette, Kuehl, Machado, Margett, Morrow, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (2)—Senators Ashburn and McClintock.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 356)**

On motion of Senator Kuehl, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 356 was refused passage by the following vote:

AYES (17)—Senators Alarcón, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Murray, Perata, Romero, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Ackerman, Alpert, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Motion to Reconsider (AB 356)

Senator Kuehl moved to reconsider the vote whereby AB 356 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Measure ordered returned to third reading.

JOINT RULES DISPENSED WITH

Without objection, pursuant to Joint Rule 33.1, Joint Rule 61(b)(12) was dispensed with in order that policy committees may meet and report Assembly Bills after the June 25 deadline through July 2.

**CONSIDERATION OF DAILY FILE (RESUMED)
MOTION TO REFER MEASURE TO INACTIVE FILE**

Senator Escutia moved that **AB 95** be placed on the inactive file.

Motion carried.

Assembly Chamber, June 17, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

AJR 86

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Joint Resolution 86—Relative to space exploration.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, June 17, 2004

The Committee on Rules has referred the following measure to committee:

Labor and Industrial Relations—ACR 213.

The Committee on Rules has re-referred the following measures to committee:

Appropriations—SB 1160; AB 389, AB 2151, AB 2810.

Education—AB 2152.

Energy, Utilities and Communications—AB 426, AB 442.

Environmental Quality—AB 1408, AB 2396.

Governmental Organization—AB 3085.

Insurance—AB 1414.

Judiciary—AB 1816, AB 3046.

Natural Resources and Wildlife—AB 1185.

Transportation—AB 466.

State Capitol, June 17, 2004

Madam President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 3–2, has returned SB 438 (Soto and Hollingsworth) to the Unfinished Business File.

BURTON, Chair

Committee on Appropriations

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Appropriations, to which was referred:

AB 1728

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1728—An act to amend Sections 900, 923, 931, 934, 1215.1, 1215.2, and 1872.85 of, and to repeal Section 1861.135 of, the Insurance Code, relating to insurance.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Agriculture and Water Resources, to which were referred:

AB 2197 AB 2298 AB 2733

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 2197—An act to add and repeal Section 6103 of the Water Code, relating to water.

Bill read second time.

Assembly Bill 2298—An act to add Article 11 (commencing with Section 65610) to Chapter 3 of Division 1 of Title 7 of the Government Code, relating to water conservation.

Bill read second time.

Assembly Bill 2733—An act to amend Sections 4999, 5000, 5003, and 5004 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 Transportation

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Transportation, to which was referred:

AB 1847

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 1847—An act to add Section 22651 to the Vehicle Code, relating to vehicles.

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 17, 2004

Madam President: The Chair of the Committee on Governmental Organization, to which were referred:

AB 1829

AB 3089

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1829—An act to amend Section 5703 of the Government Code, and to add Chapter 3.55 (commencing with Section 12140) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time.

Assembly Bill 3089—An act to amend Section 12715 of the Government Code, relating to tribal gaming.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 3089 pursuant to Joint Rule 58.

ASSEMBLY MEMBER JEROME HORTON

Permission of Rules Committee

Senate Chamber, June 17, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 3089.

BURTON, Chair

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, June 16, 2004

Madam President: The Committee on Education, to which was referred:

AB 1999

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.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 9, 2004

Madam President: The Committee on Education, to which was referred: AB 2416

Reports the same back with the recommendation: Do pass as amended.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Education, to which were referred:

AB 2196 AB 2413 AB 2559 AB 3010

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2196—An act to add Section 49437 to the Education Code, relating to pupil nutrition.

Bill read second time.

Assembly Bill 2413—An act to add Chapter 5.5 (commencing with Section 60700) to Part 33 of the Education Code, relating to English learners.

Bill read second time.

Assembly Bill 2559—An act to add Article 8.5 (commencing with Section 44600) to Chapter 3 of Part 25 of the Education Code, relating to teachers.

Bill read second time.

Assembly Bill 3010—An act to amend Section 81133 of the Education Code, relating to community colleges.

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 17, 2004

Madam President: The Chair of the Committee on Public Safety, to which were referred:

AB 1232 AB 1781

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1232—An act to amend Sections 12001 and 12071 of, and to add Section 12041 to, the Penal Code, relating to firearms.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1232 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LOWENTHAL

Permission of Rules Committee

Senate Chamber, June 17, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1232.

BURTON, Chair

Assembly Bill 1781—An act to amend Section 21626 of the Business and Professions Code, relating to secondhand goods.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Labor and Industrial Relations

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 1923

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 1923—An act to add Section 6401.8 to the Labor Code, relating to occupational safety and health.

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 17, 2004

Madam President: The Chair of the Committee on Judiciary, to which were referred:

AB 2549

AB 2783

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 2549—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3620 and 3620.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read second time.

Assembly Bill 2783—An act to amend Section 27388 of the Government Code, relating to recording fees.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1298

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 1298—An act to amend Sections 1771 and 1788 of, and to add Section 1788.5 to, the Health and Safety Code, relating to continuing care contracts.

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 16, 2004

Madam President: The Committee on Health and Human Services, to which were referred:

AJR 61

AJR 62

Reports the same back with the recommendation: Be adopted.

ORTIZ, Chair

Above resolutions ordered to third reading.

Date of Hearing, June 16, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 2909

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 16, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 2286

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Education with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure re-referred to the Committee on Education.

Date of Hearing, June 16, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 2149

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 16, 2004

Madam President: The Committee on Health and Human Services, to which were referred:

AB 2281

AB 2491

AB 2716

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.

Date of Hearing, June 16, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 2661

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Public Safety with the recommendation: To Consent Calendar.

ORTIZ, Chair

Above measure re-referred to the Committee on Public Safety.

Date of Hearing, June 16, 2004

Madam President: The Committee on Health and Human Services, to which were referred:

AB 1796	AB 1959	AB 2145
AB 2179	AB 2285	AB 2342

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 16, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 1655

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, June 9, 2004

Madam President: The Committee on Health and Human Services, to which were referred:

AB 2005	AB 2205
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Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Banking, Commerce and International Trade

Date of Hearing, June 16, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which were referred:

AB 1979	AB 2069	AB 2671
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Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

FLOREZ, Chair

Above measures ordered to second reading.

Date of Hearing, June 16, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which was referred:

AB 2014

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.

FLOREZ, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 16, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which were referred:

AB 2156 AB 2693 AB 3070

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 16, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which was referred:

AB 2921

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

FLOREZ, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 16, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which was referred:

AB 2312

Reports the same back with the recommendation: Do pass.

FLOREZ, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Governmental Organization, to which were referred:

AB 667 AB 1780

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 667—An act to amend Section 19406 of the Business and Professions Code, relating to horse racing.

Bill read second time.

Assembly Bill 1780—An act to amend and renumber Section 19835.6 of the Business and Professions Code, relating to gaming.

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 17, 2004

Madam President: The Chair of the Committee on Revenue and Taxation, to which were referred:

AB 1338 AB 1416 AB 2722 AB 2813

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1338—An act to amend Sections 18662 and 18668 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 1416—An act to amend Section 30166 of, and to add Article 4 (commencing with Section 30133) to Chapter 2 of Part 13 of Division 2 of, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor, to take effect immediately, tax levy.

Bill read second time.

Assembly Bill 2722—An act to amend Section 37002 of, to add Section 37022.5 to, and to add Chapter 7 (commencing with Section 37030) to Division 28 of, the Public Resources Code, and to amend Sections 17053.30 and 23630 of, and to add Section 19560 to, the Revenue and Taxation Code, relating to conservation, and making an appropriation therefor.

Bill read second time.

Assembly Bill 2813—An act relating to taxation.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 9, 2004

Madam President: The Committee on Revenue and Taxation, to which was referred:

AB 658

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CEDILLO, Chair

Above measure ordered to second reading.

Committee on Business and Professions

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Business and Professions, to which were referred:

AB 1793 AB 2008 AB 2464 AB 2682

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 1793—An act to add Chapter 6.7 (commencing with Section 20650) to Division 8 of the Business and Professions Code, relating to video games.

Bill read second time.

Assembly Bill 2008—An act to amend Section 2883 of the Business and Professions Code, relating to nursing.

Bill read second time.

Assembly Bill 2464—An act to amend Sections 3013, 3014, 3016, 3017, 3018, 3019, 3023, 3027, 3040, 3042, 3044, 3045, 3054, 3059, 3070, and 3076 of, to add Sections 3003, 3004, 3005, 3006, 3025.1, 3025.2, 3025.7, 3028, 3046, and 3071 to, to repeal Sections 3012, 3015, 3020, 3021, 3022, 3023.1, 3026.5, 3027.5, 3029, 3047, 3050, and 3052 of, and to repeal and add Sections 3000, 3055, and 3075 of, the Business and Professions Code, relating to healing arts.

Bill read second time.

Assembly Bill 2682—An act to amend Section 4161 of, and to add Sections 4160.1 and 4161.1 to, the Business and Professions Code, relating to pharmacy, 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 Appropriations

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Appropriations, to which was referred:

AB 2475

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2475—An act to add Section 5023.5 to the Penal Code, relating to corrections.

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 17, 2004

Madam President: The Chair of the Committee on Judiciary, to which were referred:

AB 358 AB 2719

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

ESCUZIA, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 358—An act to add Section 8251 to the Government Code, relating to discrimination.

Bill read second time.

Assembly Bill 2719—An act to add Section 12237 to the Government Code, relating to State Archives.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Insurance

Date of Hearing, June 16, 2004

Madam President: The Committee on Insurance, to which was referred:

AB 421

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

SPEIER, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 2718

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2718—An act to amend Sections 1365, 1365.5, and 1368 of, and to add Sections 1365.2 and 1365.3 to, the Civil Code, relating to common interest developments.

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 7, 2004

Madam President: The Committee on Housing and Community Development, to which was referred:

AB 2533

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, June 14, 2004

Madam President: The Committee on Environmental Quality, to which was referred:

AB 2021

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Committee on Labor and Industrial Relations

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 2832

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 2832—An act to add Section 1182.12 to the Labor Code, relating to employment.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2897

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 2897—An act to amend Sections 7500, 7503, 7510, 7511, and 7515 of, and to repeal Section 7555 of the Penal Code, relating to prisoners, and declaring the 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.

Committee on Public Safety

Senate Chamber, June 17, 2004

Madam President: The Chair of the Committee on Public Safety, to which were referred:

AB 1009

AB 2417

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1009—An act to add and repeal Section 97.3 of the Streets and Highways Code, and to amend Section 627 of, and to add and repeal Section 42010.3 of, the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2417—An act to add Sections 273a and 273.03 to the Penal Code, relating to crime.

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 17, 2004

Madam President: The Chair of the Committee on Education, to which were referred:

AB 825

AB 921

AB 1010

AB 2407

AB 2950

AB 3001

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 825—An act relating to student financial aid.

Bill read second time.

Assembly Bill 921—An act to amend Section 60810 of the Education Code, relating to pupil testing, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1010—An act to amend Sections 69612 and 69613.1 of the Education Code, relating to student financial aid.

Bill read second time.

Assembly Bill 2407—An act to amend Section 37202 of the Education Code, relating to kindergarten.

Bill read second time.

Assembly Bill 2950—An act to amend Section 17078.27 of the Education Code, relating to school facilities.

Bill read second time.

Assembly Bill 3001—An act to add Section 17318 to the Education Code, relating to school facilities.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Banking, Commerce and International Trade

Date of Hearing, June 16, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which was referred:

AB 1810

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

FLOREZ, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Rules

Senate Chamber, June 17, 2004

Madam President: The Committee on Rules has examined:

SB 626

And reports that the same has been correctly enrolled, and presented to the Governor on the 17th day of June, 2004, at 3:30 p.m.

BURTON, Chair

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on June 21:

AB 2919	AB 1887	AB 2654	AB 1924
AB 2091	AB 2362	AB 2614	SCR 83

**CONSIDERATION OF DAILY FILE (RESUMED)
RE-REFERENCE TO COMMITTEE**

Without objection, **AB 2234**, **AB 979**, **AB 2894**, **AB 2956**, and **AB 3008** were referred to the Committee on Appropriations.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1908** was withdrawn from the Committee on Agriculture and Water Resources and re-referred to the Committee on Rules;

AB 2504 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Health and Human Services;

AB 1164 and **AB 816** were withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Rules;

AB 1623 was withdrawn from the Committee on Elections and Reapportionment and re-referred to the Committee on Rules;

AB 298 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

AB 1808 and **AB 2012** were withdrawn from the Committee on Public Safety and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS**Committee on Banking, Commerce and International Trade**

AB 804—Reconsideration granted

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 1810—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ducheny, Dunn, Florez, Karnette, and Murray.

NOES (3)—Senators Denham, Hollingsworth, and McClintock.

AB 1870—Do pass, to Consent Calendar

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 1911—Do pass and re-refer to Committee on Appropriations

AYES (1)—Senator Denham.

NOES (1)—Senator McClintock.

Failed passage

AB 1911—Reconsideration granted

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 1979—Do pass, to Consent Calendar

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 2014—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 2069—Do pass, to Consent Calendar

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 2156—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ducheny, Florez, Karnette, Murray, and Perata.

NOES (3)—Senators Denham, Hollingsworth, and McClintock.

AB 2206—Do pass as amended and re-refer to Committee on Appropriations

AYES (1)—Senator Perata.

NOES (2)—Senators Denham and McClintock.

Failed passage

AB 2206—Reconsideration granted

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 2312—Do pass

AYES (6)—Senators Ducheny, Dunn, Florez, Karnette, Murray, and Perata.

NOES (2)—Senators Hollingsworth and McClintock.

AB 2411—Do pass and re-refer to Committee on Appropriations

AYES (1)—Senator Denham.

NOES (1)—Senator McClintock.

AB 2411—Reconsideration granted

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 2671—Do pass, to Consent Calendar

AYES (9)—Senators Denham, Ducheny, Dunn, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 2693—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Denham, Ducheny, Florez, Hollingsworth, Karnette, and Murray.

NOES (1)—Senator McClintock.

AB 2921—Do pass and re-refer to Committee on Judiciary

AYES (8)—Senators Denham, Ducheny, Florez, Hollingsworth, Karnette, McClintock, Murray, and Perata.

NOES (0)—None.

AB 3070—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Denham, Ducheny, Florez, Hollingsworth, Karnette, Murray, and Perata.

NOES (1)—Senator McClintock.

Date of Hearing: 6/16/04

Florez (Chair)

Committee on Health and Human Services

AB 72—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 649—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 1569—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 1655—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 1796—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 1957—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 1958—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 1959—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Kuehl, and Ortiz.

NOES (0)—None.

AB 1960—Do pass as amended and re-refer to Committee on Rules

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 1963—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Romero.

NOES (2)—Senators Aanestad and Ashburn.

AB 2145—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (1)—Senator Ashburn.

AB 2149—Do pass and re-refer to Committee on Judiciary, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2179—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (1)—Senator Ashburn.

AB 2281—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2285—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 2286—Do pass and re-refer to Committee on Education, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2326—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 2342—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2491—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2629—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AB 2661—Do pass and re-refer to Committee on Public Safety, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2716—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2821—Do pass as amended

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2886—Do pass as amended and re-refer to Committee on Revenue and Taxation

AYES (5)—Senators Aanestad, Alarcón, Chesbro, Escutia, and Ortiz.

NOES (5)—Senators Ashburn, Florez, Kuehl, Romero, and Vasconcellos.

Failed passage

AB 2909—Do pass and re-refer to Committee on Education

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 3036—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (1)—Senator Ashburn.

AJR 61—Do pass

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

AJR 62—Do pass

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (2)—Senators Aanestad and Ashburn.

Date of Hearing: 6/16/04

Ortiz (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Joseph M. Conte of Palm Springs.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Dr. Ronald Scott Gelb of Los Angeles.

Senator Sher requested that when the Senate adjourns this day it do so in memory of Richard F. Desmond of Carmichael.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Gordon Bradley Bosler of Visalia.

Senators Poochigian and Speier requested that when the Senate adjourns this day it do so in memory of Carla Donobedian of Fresno.

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ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 10:30 a.m., Monday, June 21, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, June 21, 2004

The Senate met at 10:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos—36.
Quorum present.

(NOTE: Senator Speier will be excused this day on personal business, Senator Vincent will be excused this day due to a family illness, and Senator Bowen will be excused this day due to illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

May our lives be like the wildflowers, growing freely in the beauty of each new day. We are one after all, You and I; together we suffer and rejoice, together we exist, and forever we recreate one another.—AMEN.

(adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Figueroa led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
June 21, 2004

To the Members of the California Senate:

Senate Bill 1190, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of SB 1190 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered transmitted to the Governor.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 17, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 240

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 240—Relative to Joint Legislative Committee on Emergency Services and Homeland Security.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, June 21, 2004

The Committee on Rules has referred the following measure to committee:

Rules—AB 541.

Committee on Energy, Utilities and Communications

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 442

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 442—An act to add Article 11 (commencing with Section 910) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to telecommunications.

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 21, 2004

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 2704

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 2704—An act to amend Sections 1812.5095, 1812.524, and 1812.533 of the Civil Code, and to amend Section 687.2 of, and to add Section 687.4 to, the Unemployment Insurance Code, relating to employment.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Natural Resources and Wildlife

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 2047

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 2047—An act to add Sections 4121 and 4122 to the Public Resources Code, relating to fire prevention.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Banking, Commerce and International Trade

Date of Hearing, June 16, 2004

Mr. President: The Committee on Banking, Commerce and International Trade, to which was referred:

AB 1870

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Housing and Community Development, to which was referred:

AB 269

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

DUCHENY, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 269—An act to add Section 33334.2.2 to the Health and Safety Code, relating to redevelopment.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 262

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 262—An act to add Article 25 (commencing with Section 4450) to Chapter 9 of Division 2 of the Business and Professions Code, relating to personal information.

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 21, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 664 AB 2165 AB 2358 AB 2502

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 664—An act to amend Section 1798.81 of the Civil Code, relating to personal information.

Bill read second time.

Assembly Bill 2165—An act to amend Sections 10232.4, 10233, and 10238 of the Business and Professions Code, relating to real estate.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2165 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HOUSTON

Permission of Rules Committee

Senate Chamber, June 21, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 2165.

BURTON, Chair

Assembly Bill 2358—An act to amend Sections 5204 and 5220 of the Family Code, relating to child support.

Bill read second time.

Assembly Bill 2502—An act to amend Section 369.5 of the Welfare and Institutions Code, relating to dependent children.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2876

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2092

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Education

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 1650 AB 1858 AB 2210 AB 2923

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1650—An act to amend Sections 406, 44279.2, 44305, 44308, 44383, 44386, 44393, 44395, 44396, 44401, 44402, 44403, 44404, 44503, 44507, 44579.1, 44731, 52272, 99200, 99220, 99221, 99222, 99223, 99224, 99225, 99226, 99232, 99234, 99236, and 99237 of, to add Chapter 3.8 (commencing with Section 44790) to Part 25 of, and to repeal Sections 44279.7, 44384, 44505, 44506, 44579.2, 44579.4, 44579.5, 44730, 99203, 99227, 99234.5, and 99235 of, the Education Code, relating to teacher development.

Bill read second time.

Assembly Bill 1858—An act to amend Sections 56366 and 56366.1 of, and to add Sections 56155.7, 56366.10, and 56366.11 to, the Education Code, relating to special education.

Bill read second time.

Assembly Bill 2210—An act to amend Sections 44259 and 44279.2 of the Education Code, relating to teachers.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2210 pursuant to Joint Rule 58.

ASSEMBLY MEMBER LIU

Permission of Rules Committee

Senate Chamber, June 21, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 2210.

BURTON, Chair

Assembly Bill 2923—An act to add Article 2 (commencing with Section 66910) to Chapter 11 of Part 40 of, and to repeal Sections 66901, 66903, and 67002 of, the Education Code, relating to postsecondary education.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Insurance

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which was referred:

AB 1297

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Revenue and Taxation.

SPEIER, Chair

Above measure ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which was referred:

AB 2866

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Labor and Industrial Relations with the recommendation: To Consent Calendar.

SPEIER, Chair

Above measure re-referred to the Committee on Labor and Industrial Relations.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which was referred:

AB 2904

Reports the same back with the recommendation: Do pass.

SPEIER, Chair

Above bill ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which were referred:

AB 1962

AB 2208

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

SPEIER, Chair

Above measures re-referred to the Committee on Judiciary.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which was referred:

AB 2129

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

SPEIER, Chair

Above measure ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which was referred:

AJR 44

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

SPEIER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which were referred:

AB 1431

AB 2429

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SPEIER, Chair

Above measures re-referred to the Committee on Appropriations.

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Insurance, to which was referred:

AB 1868

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1868—An act to amend Section 10290 of, and to add Sections 10370, 10371, and 10372 to, the Insurance Code, relating to disability insurance.

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 16, 2004

Mr. President: The Committee on Insurance, to which were referred:

AB 2185

AB 2677

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2014

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2014—An act to amend Sections 14252 and 14703 of, and to repeal Division 18 (commencing with Section 40000) of, the Financial Code, relating to financial institutions.

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 21, 2004

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

AB 1885

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 1885—An act to add Article 7 (commencing with Section 9913) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code, relating to employment.

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 21, 2004

Mr. President: The Chair of the Committee on Rules, to which were referred:

AB 541

AB 2596

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 541—An act to add Section 5087 to the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2596—An act relating to courses of study.

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 21, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 1850

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1850—An act to amend Section 470 of, and to add Sections 470.1, 470.2, 470.3, 470.4, and 470.5 to, the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Transportation

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Transportation, to which were referred:

AB 575 AB 2865

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 575—An act to amend Section 40000.19 of, and to add Division 14.75 (commencing with Section 34200) to, the Vehicle Code, relating to motor carriers.

Bill read second time.

Assembly Bill 2865—An act to amend Sections 2704.13 and 2704.16 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 1983

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 1983—An act to amend Sections 8401, 8410, 8532, 8590, 8615, 12578, 12579, 12582.7, and 12841 of the Water Code, relating to water.

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 21, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1910 AB 2209 AB 2516 AB 2530

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 1910—An act to amend Sections 7611, 7630, and 7650 of the Family Code, to add Chapter 4.4 (commencing with Section 1644.7) to Division 2 of the Health and Safety Code, to amend Sections 10172 and 10172.5 of the Insurance Code, and to amend Section 6453 of, and to add Sections 249.5, 249.6, 249.7, and 249.8 to, the Probate Code, relating to probate.

Bill read second time.

Assembly Bill 2209—An act to add Section 4310 to the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2516—An act to amend Sections 6401, 22440, 22441, 22442, 22442.1, 22442.2, 22442.3, 22442.4, 22443, 22443.1, 22443.3, 22444, 22446.5, and 22447 of the Business and Professions Code, and to amend Section 8223 of the Government Code, relating to immigration consultants.

Bill read second time.

Assembly Bill 2530—An act to amend Sections 706.034 and 1532 of the Code of Civil Procedure, to amend Section 5235 of the Family Code, to amend Sections 12461 and 12464 of, and to add Section 16582 to, the Government Code, and to amend Section 3088 of the Probate Code, relating to the Controller.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 824

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 824—An act to amend Section 12306.1 of the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 2572

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 2572—An act to amend Sections 111 and 521 of, to amend the heading of Article 3 (commencing with Section 520) of Chapter 8 of Division 1 of, and to add Section 523.5 to, the Water Code, relating to water.

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 21, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which were referred:

AB 249

AB 425

AB 671

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 249—An act relating to the State Controller.

Bill read second time.

Assembly Bill 425—An act to amend Section 2 of Chapter 317 of the Statutes of 1997, relating to public trust lands.

Bill read second time.

Assembly Bill 671—An act to amend Sections 13101 and 13102 of the Government Code, relating to infrastructure planning.

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 21, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 1486

AB 2066

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1486—An act to amend Section 17406 of the Education Code, relating to school facilities.

Bill read second time.

Assembly Bill 2066—An act to amend Sections 52055.54 and 52055.650 of, and to add Article 3.1 (commencing with Section 52055.56) to Chapter 6.1 of Part 28 of, the Education Code, relating to schools, 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 Agriculture and Water Resources

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which was referred:

AB 1896

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 1896—An act to amend Section 486 of the Food and Agricultural Code, relating to agricultural inspectors.

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 21, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2159

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2159—An act to amend Sections 44308, 44310, 45017, 45030, 45031, 45032, 45033, and 45041 of, and to add Sections 44310.5, 45006, and 45022.5 to, the Public Resources Code, relating to solid waste.

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 21, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 6 AB 2721

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

MCPHERSON, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 6—An act to amend Section 653w of the Penal Code, relating to crime.

Bill read second time.

Assembly Bill 2721—An act to amend Section 97.1 of the Streets and Highways Code, and to add and repeal Section 42010 of the Vehicle Code, relating to highways.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, June 18, 2004

Mr. President: The Committee on Rules has examined:

SB 115

And reports that the same has been correctly enrolled, and presented to the Governor on the 18th day of June, 2004, at 3:30 p.m.

BURTON, Chair

Committee on Judiciary

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 252

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 129

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 8, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2431

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2861

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Agriculture and Water Resources

Date of Hearing, June 15, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which were referred:

AB 1071

AB 2717

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MACHADO, Chair

Above measures ordered to second reading.

Committee on Insurance

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which was referred:

AB 2199

Reports the same back with the recommendation: Do pass as amended.

SPEIER, Chair

Above measure ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which was referred:

AB 2709

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Transportation.

SPEIER, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 1554

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1554—An act to amend Section 42285.3 of the Education Code, relating to schools.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1554 pursuant to Joint Rule 58.

ASSEMBLY MEMBER KEENE

Permission of Rules Committee

Senate Chamber, June 21, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1554.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, June 21, 2004

Mr. President: The Committee on Rules has examined:

SB 1190

And reports that the same has been correctly enrolled, and presented to the Governor on the 21st day of June, 2004, at 10 a.m.

BURTON, Chair

Committee on Elections and Reapportionment

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

AB 1980

Reports the same back with the recommendation: Do pass as amended.
PERATA, Chair

Above measure ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

AB 2748

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

PERATA, Chair

Above measure ordered to second reading.

Committee on Constitutional Amendments

Date of Hearing, June 21, 2004

Mr. President: The Committee on Constitutional Amendments, to which was referred:

SCA 18

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations.

POOCHIGIAN, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Elections and Reapportionment

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which were referred:

AB 1784

AB 1785

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

PERATA, Chair

Above measures ordered to second reading.

Committee on Appropriations

Date of Hearing, June 21, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SCA 18

Reports the same back with the recommendation: Be adopted.

ALPERT, Chair

Above resolution ordered to second reading.

Committee on Local Government

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which were referred:

AB 2676 AB 2805

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

TORLAKSON, Chair

Above measures ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 2055

Reports the same back with the recommendation: Do pass as amended.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred:
SCR 84

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 1272

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 338

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Environmental Quality.

MURRAY, Chair

Above measure ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 224—An act to amend Section 13132.7 of the Health and Safety Code, relating to roof covering materials.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2079—An act to add Sections 2157.1 and 2157.2 to the Elections Code, relating to voter information.

Bill read second time.

The amendments proposed by the Committee on Elections and Reapportionment were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Joint Resolution 56—Relative to the extension of the 1994 ban on assault weapons.

Resolution read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2416—An act to amend Section 51700 of the Education Code, relating to courses of instruction.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1655—An act to add Sections 1798.210, 1798.211, and 1799.112 to the Health and Safety Code, relating to emergency medical services.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2005—An act to amend Section 11462 of the Welfare and Institutions Code, relating to community care facilities.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2205—An act to add Article 4 (commencing with Section 8228) to Chapter 2 of Part 6 of the Education Code, relating to child care, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1979—An act to amend Section 1916.5 of the Civil Code, and to amend Section 677 of the Insurance Code, relating to financial transactions.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2069—An act to repeal Article 6 (commencing with Section 10237) of Chapter 3 of Part 1 of Division 4 of the Business and Professions Code, relating to real estate.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2671—An act to amend Section 4406 of the Commercial Code, relating to commercial law.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2312—An act to add Section 13082 to the Financial Code, relating to point-of-sale devices.

Bill read second time and ordered to third reading.

Assembly Bill 658—An act to add and repeal Article 13.5 (commencing with Section 18845) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to public health.

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 421—An act to amend Sections 679.71 and 679.72 of, and to add Section 679.74 to, the Insurance Code, relating to property insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Assembly Bill 2533—An act to amend Section 8875.8 of the Government Code, relating to seismic safety.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2021—An act to amend Sections 25214.12, 25214.13, 25214.14, 25214.15, and 25214.16 of, to amend and renumber the heading of Article 10.3 (commencing with Section 25214.11) of Chapter 6.5 of Division 20 of, and to add Sections 25214.17 and 25214.21 to, the Health and Safety Code, relating to hazardous waste.

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.

MOTION TO WAIVE SENATE RULE 55 (c)

Without objection, Senate Rule 55 (c) was waived for the purpose of allowing lobbyist Jerry Zanelli on the Senate floor for a special presentation.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 2240 and AB 2317 to be heard in the committee on Judiciary without the four days notice in the Daily File.

CONSIDERATION OF DAILY FILE (RESUMED) CONSENT CALENDAR

Assembly Bill 2276—An act to amend Section 19641.2 of the Business and Professions Code, relating to horse racing.

Bill read third time

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2470—An act to amend Section 2079.10 of the Civil Code, and to amend Section 375.5 of the Water Code, relating to water.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 65—Relative to the Soboba Band of Luiseno Indians.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 69—Relative to specialty crops.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Assembly Bill 2919—An act to amend Section 3209.10 of the Labor Code, relating to workers' compensation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1887—An act to amend Section 13534 of the Business and Professions Code, relating to motor fuel advertising.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2654—An act to amend Section 810 of the Business and Professions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1924—An act to amend Sections 4299 and 4376 of the Public Resources Code, relating to fire prevention.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2091—An act to amend Section 8020 of the Elections Code, relating to elections.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2362—An act to amend Section 56505 of the Education Code, relating to special education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2614—An act to amend Sections 20111.5 and 20112 of the Public Contract Code, relating to public contracts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 83—Relative to California Aphasia Awareness Month.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (CONSENT CALENDAR)

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Consent Calendar Roll Call

The names of the absentees were called and the measures passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, and Soto.

NOES (0)—None.

REQUEST FOR UNANIMOUS CONSENT (SCA 18)

Senator Johnson asked for, and was granted, unanimous consent to take up SCA 18 at this time, without reference to file.

Senate Constitutional Amendment 18

Senate Constitutional Amendment 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of Article II thereof, and by adding Section 9 to Article III thereof, relating to state government.

Resolution read and presented by Senator Johnson.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Johnson moved a call of the Senate.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SCA 18)**

On motion of Senator Johnson, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the resolution was adopted by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, Soto, and Torlakson.

NOES (3)—Senators Florez, McClintock, and Morrow.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

Assembly Joint Resolution 68—Relative to the federal child nutrition programs.

Resolution read third time and presented by Senator McPherson.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, and Torlakson.

NOES (6)—Senators Aanestad, Ackerman, Hollingsworth, McClintock, Morrow, and Oller.

Resolution ordered transmitted to the Assembly.

Assembly Bill 56—An act relating to child preschool programs.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, and Torlakson.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 242—An act relating to teachers.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, and Torlakson.

NOES (11)—Senators Aanestad, Ackerman, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS**Consideration of Assembly Amendments**

Senate Bill 438—An act to amend Section 8686 of the Government Code, and to amend Sections 17207 and 24347.5 of the Revenue and Taxation Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Soto.

The question being: Shall the Senate concur in the Assembly amendments to SB 438?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, and Torlakson.

NOES (0)—None.

Above bill ordered enrolled.

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Sher moved that **AB 2922** be placed on the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2877—An act to amend Section 25150.6 of the Health and Safety Code, relating to hazardous waste.

Bill read third time.

Amendments Adopted

Amendments to AB 2877 proposed by Senator McPherson were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 3081)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 3081 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 3081

Assembly Bill 3081—An act to amend Sections 6202, 17083, and 17550.47 of the Business and Professions Code, to amend Section 47 of the Civil Code, to amend Sections 93, 94, 116.310, 116.770, 437c, 485.230, 708.020, 708.030, 1005, 1141.16, 1141.24, 1283.05, 1775.11, 1985.3, 1985.6, 1987.5, 1991.1, and 2093 of, to add Title 4 (commencing with Section 2016.010) to Part 4 of, and to repeal Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of, the Code of Civil Procedure, to amend Sections 45312, 87675, 87679, and 88131 of the Education Code, to amend Sections 915, 1156, 1156.1, and 1560 of the Evidence Code, to amend Sections 3110.5, 3666, and 4331 of the Family Code, to amend Sections 309 and 5934 of the Fish and Game Code, to amend Sections 6276.04, 11045, 11187, 11189, 11511, 12972, 18671, 68092.5, and 68616 of the Government Code, to amend Sections 5710 and 6613 of the Labor Code, to amend Sections 186.11, 1054.6, and 1524 of the Penal Code, to amend Sections 451 and 452 of the Probate Code, to amend Section 20104.4 of the Public Contract Code, to amend Sections 3357 and 3769 of the Public Resources Code, to amend Section 1794 of the

Public Utilities Code, to amend Section 25110 of the Revenue and Taxation Code, to amend Section 3050.1 of the Vehicle Code, and to amend Section 1100 of the Water Code, relating to civil discovery.

Bill read.

Motion to Amend

Amendments to AB 3081 proposed by Senator Escutia were read and adopted and the measure ordered printed and to second reading.

REQUEST TO BE ADDED TO ROLL CALL

June 21, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AJR 68—No AB 56—No AB 242—No
AB 438—Aye

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to personal business: Senator Speier.

The following Senator was granted leave of absence for the day due to a family illness: Senator Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 11:26 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, June 22, 2004.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
June 21, 2004

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments and reappointments heretofore made by me to offices which are by law to be filled by the Governor. These appointments are subject to Senate

confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Lucetta Anne Dunn, former executive vice President, Hearthside Homes.
Appointed 6/1/04. Effective 6/1/04:

Director of Housing and Community Development vice Matthew
O. Franklin, resigned, term ending at the pleasure of the Governor.

William A. Avritt, former Deputy Director, Administrative Services for the
Department of Mental Health. Appointed 6/1/04. Effective 6/2/04:

Deputy Director, Department of Personnel Administration vice
Gloria Moore Andrews, resigned, term ending at the pleasure of the
Governor.

K. William Curtis, former labor relations counsel, Department of
Personnel Administration. Appointed 6/1/04. Effective 6/2/04:

Chief Counsel, Department of Personnel Administration vice
Howard L. Schwartz, resigned, term ending at the pleasure of the
Governor.

Michael John Hersek, former staff attorney, California Supreme Court.
Appointed 6/10/04. Effective 6/17/04:

State Public Defender vice Lynne S. Coffin, term expired, term
ending 1/1/08.

Above appointments referred to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 21, 2004

Mr. President: I am directed to inform your honorable body that the
Assembly on this day passed:

SB 1143	SB 1208	SB 1284
SB 1413	SB 1465	SB 1784

Above measures ordered enrolled.

Assembly Chamber, June 21, 2004

Mr. President: I am directed to inform your honorable body that the
Assembly amended, and on this day passed, as amended:

SB 1136	SB 1156	SB 1407	SB 1485
SB 1677	SB 1688	SB 1766	

And respectfully requests your honorable body to concur in said
amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, June 21, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 141 AB 1264 AB 2049 AJR 50

Assembly Chamber, June 21, 2004

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 61 and AB 3018 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measures ordered held at Desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, June 21, 2004

The Committee on Rules has referred the following measure to committee:

Rules—AB 1116.

Committee on Transportation

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

AB 2817

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 2817—An act to amend Sections 100601, 100601.5, 100602.4, 100602.8, 100602.10, 100602.13, 100603, 100605, 100613, 100614, and 100616 of, and to repeal Sections 100602.2, 100602.3, 100602.5, 100602.6, and 100602.7 of, the Public Utilities Code, relating to transportation.

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 21, 2004

Mr. President: The Chair of the Committee on Education, to which were referred:

AB 745 AB 780 AB 1860
AB 2286 AB 2909

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 745—An act to add Sections 1210, 35032.5, and 72427 to the Education Code, relating to local educational agencies.

Bill read second time.

Assembly Bill 780—An act to amend Sections 56043 and 56505 of the Education Code, relating to special education.

Bill read second time.

Assembly Bill 1860—An act to amend Sections 47601 and 47605 of the Education Code, relating to charter schools.

Bill read second time.

Assembly Bill 2286—An act to add Section 49416 to the Education Code, relating to drugs.

Bill read second time.

Assembly Bill 2909—An act to amend Sections 95016 and 95020 of, and to add Section 95029.5 to, the Government Code, relating to early intervention services.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Date of Hearing, June 14, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 2168

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 Local Government

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 2318

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Insurance

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which were referred:

AB 2147

AB 2962

Reports the same back with the recommendation: Do pass as amended.

SPEIER, Chair

Above measures ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which were referred:

AB 2289

AB 2316

AB 2520

AB 2759

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Rules, to which were referred:

AB 1116

AB 2435

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1116—An act to add Section 5101.10 to the Vehicle Code, relating to vehicles.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1116 pursuant to Joint Rule 58.

ASSEMBLY MEMBER MOUNTJOY

Permission of Rules Committee

Senate Chamber, June 21, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1116.

BURTON, Chair

Assembly Bill 2435—An act to add Section 51220.6 to the Education Code, relating to instruction.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, June 17, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 1091

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 2428

AB 2742

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Judiciary

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1000

AB 1143

AB 1839

AB 2835

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 1000—An act to amend Sections 1502, 2117, 6210, and 8210 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1143—An act to amend Section 1985.3 of the Code of Civil Procedure, relating to Internet communications.

Bill read second time.

Assembly Bill 1839—An act to amend Sections 2982 and 2982.5 of, and to add Sections 1793.27 and 2982.2 to, the Civil Code, and to amend Section 11709.2 of the Vehicle Code, relating to consumers.

Bill read second time.

Assembly Bill 2835—An act to add Article 15 (commencing with Section 870) to Chapter 1 of Division 2 of the Business and Professions Code relating to health care.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2347

Reports the same back with the recommendation: Do pass as amended and be placed on the Consent Calendar.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2445

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2674

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 2010

AB 2137

AB 2872

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Public Safety

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AB 1802

Reports the same back with the recommendation: Do pass as amended.
McPHERSON, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation,
to which was referred:

AB 1412

Reports the same back with author's amendments with the
recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1412—An act to add Chapter 2.66 (commencing with
Section 7286.27) to Part 1.7 of Division 2 of, and to repeal Section 7262.7
of, the Revenue and Taxation Code, relating to taxation.

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 21, 2004

Mr. President: The Chair of the Committee on Appropriations, to which
were referred:

AB 152	AB 1489	AB 1956	AB 2518
AB 321	AB 1596	AB 1984	AB 2531
AB 750	AB 1694	AB 2037	AB 2550
AB 753	AB 1848	AB 2127	AB 2557
AB 891	AB 1907	AB 2171	AB 2776
AB 932	AB 1929	AB 2238	AB 2795
AB 1127	AB 1937	AB 2313	AB 3063
AB 1299	AB 1946	AB 2352	
AB 1373	AB 1955	AB 2496	

Reports the same back with the recommendation: That the above measures
be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2633

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2633—An act to amend Section 40194 of, and to add Sections 43032, 43033, and 43034 to, the Public Resources Code, relating to grease.

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 21, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1466

AB 1799

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1466—An act to repeal Title 7.9 (commencing with Section 68055) of the Government Code, and to add Chapter 5.3 (commencing with Section 42250) and 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 1799—An act to amend Sections 18761 and 18766 of 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 Health and Human Services

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1693

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 1693—An act to add and repeal Division 4.8 (commencing with Section 4950) of the Welfare and Institutions Code, relating to public social services.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1693 pursuant to Joint Rule 58.

ASSEMBLY MEMBER WOLK

Permission of Rules Committee

Senate Chamber, June 21, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1693.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Public Safety

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 1667

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1667—An act to amend Section 803 of, to add Sections 801.1, 801.2, and 803.5 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Agriculture and Water Resources

Senate Chamber, June 21, 2004

Mr. President: The Chair of the Committee on Agriculture and Water Resources, to which were referred:

AB 815

AB 1300

AB 1647

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 815—An act to add Section 16302.5 to the Food and Agricultural Code, relating to animals.

Bill read second time.

Assembly Bill 1300—An act to add Chapter 12 (commencing with Section 79590) to Division 26.5 of the Water Code, relating to water.

Bill read second time.

Assembly Bill 1647—An act to add Section 1229 to 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 Safety

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2450

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 70**, **AB 1009** and **AB 2479** were withdrawn from the Committee on Public Safety and re-referred to the Committee on Rules;

AB 2201 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations; and

AB 664 and **AB 2165** were withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS**Committee on Insurance**

AB 421—Do pass as amended and re-refer to Committee on Judiciary

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (2)—Senators Morrow and Oller.

AB 1297—Do pass as amended and re-refer to Committee on Revenue and Taxation

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (3)—Senators Denham, Morrow, and Oller.

AB 1431—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Escutia, Figueroa, Scott, Soto, and Speier.

NOES (3)—Senators Denham, Morrow, and Oller.

AB 1953—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 1962—Do pass and re-refer to Committee on Judiciary

AYES (8)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Soto, and Speier.

NOES (0)—None.

AB 2129—Do pass, to Consent Calendar

AYES (9)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 2147—Do pass as amended

AYES (9)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 2185—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Denham, Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (2)—Senators Morrow and Oller.

AB 2199—Do pass as amended

AYES (9)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 2208—Do pass and re-refer to Committee on Judiciary

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (3)—Senators Denham, Morrow, and Oller.

AB 2289—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (3)—Senators Denham, Morrow, and Oller.

AB 2316—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (3)—Senators Denham, Morrow, and Oller.

AB 2429—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Soto, and Speier.

NOES (0)—None.

AB 2520—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Escutia, Figueroa, Morrow, Ortiz, Scott, Soto, and Speier.

NOES (1)—Senator Oller.

AB 2677—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 2709—Do pass as amended and re-refer to Committee on Transportation

AYES (7)—Senators Denham, Escutia, Figueroa, Morrow, Ortiz, Scott, and Speier.

NOES (0)—None.

AB 2759—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Scott, and Speier.

NOES (0)—None.

AB 2866—Do pass and re-refer to Committee on Labor and Industrial Relations, with the recommendation: To Consent Calendar

AYES (9)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

AB 2904—Do pass

AYES (8)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Soto, and Speier.

NOES (0)—None.

AB 2962—Do pass as amended

AYES (6)—Senators Escutia, Figueroa, Ortiz, Scott, Soto, and Speier.

NOES (3)—Senators Denham, Morrow, and Oller.

AJR 44—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Denham, Escutia, Figueroa, Morrow, Oller, Ortiz, Scott, Soto, and Speier.

NOES (0)—None.

Date of Hearing: 6/16/04

Speier (Chair)

Committee on Constitutional Amendments

SCA 18—Be adopted and re-refer to Committee on Appropriations.

AYES (3)—Senators Burton, Escutia, and Poochigian.

NOES (0)—None.

Date of Hearing: 6/21/04

Poochigian (Chair)

Committee on Appropriations**SCA 18—Do pass**

AYES (9)—Senators Aanestad, Alpert, Battin, Burton, Escutia, Johnson, Karnette, Murray, and Poochigian.

NOES (0)—None.

AB 430—Do pass

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

AB 1260—Do pass

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

AB 1356—Do pass as amended

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Karnette, Machado, and Poochigian.

NOES (0)—None.

AB 1663—Do pass

AYES (4)—Senators Alpert, Escutia, Karnette, and Machado.

NOES (2)—Senators Aanestad and Johnson.

Failed passage

AB 1663—Reconsideration granted

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

AB 2089—Do pass as amended

AYES (4)—Senators Alpert, Escutia, Karnette, and Machado.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

Failed passage

AB 2089—Reconsideration granted

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

AB 2160—Do pass

AYES (5)—Senators Alpert, Escutia, Johnson, Karnette, and Machado.

NOES (0)—None.

Failed passage

AB 2160—Reconsideration granted

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

AB 3040—Do pass

AYES (4)—Senators Alpert, Escutia, Karnette, and Machado.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

Failed passage

AB 3040—Reconsideration granted

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Escutia, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

Date of Hearing: 6/21/04

Alpert (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Edilith Eckart of Arcata.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Juanita Aguilera Perez Ruiz of Coachella.

Senator Dunn requested that when the Senate adjourns this day it do so in memory of Garald S. Orman.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Barbara Underhill Sanguinetti McBrian of Modesto.

Senator Romero requested that when the Senate adjourns this day it do so in memory of Maria Gonzalez of Los Angeles.

Senator Scott requested that when the Senate adjourns this day it do so in memory of Mary Jane Moffat of Los Altos and Ken Taylor of Sierra Madre.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Norair “Norman” Nakashian of Pasadena and Reid William Gromis and Hugh Wesley Goodwin, Sr., of Fresno.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators’ requests until 9 a.m., Tuesday, June 22, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 22, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,
Poochigian, Romero, Scott, Sher, Soto, Torlakson, Vasconcellos, and
Vincent—38.

Quorum present.

(NOTE: Senator Speier will be excused this day on personal business.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 21, 2004

Mr. President: I am directed to inform your honorable body that the
Assembly on this day adopted:

AJR 88

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the
Committee on Rules:

Assembly Joint Resolution 88—Relative to the federal No Child Left
Behind Act of 2001.

REPORTS OF STANDING COMMITTEES**Committee on Environmental Quality**

Date of Hearing, June 14, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2254

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Committee on Transportation

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Transportation, to which were referred:

AB 2498

AB 2848

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 2498—An act to amend Sections 2560.5, 2561.5, 2562.1, 2562.3, and 2565 of the Streets and Highways Code, relating to transportation.

Bill read second time.

Assembly Bill 2848—An act to amend Sections 285, 286, 296, 331.1, 331.2, 426, 672, 11701, 11704.5, 11710, and 11723 of the Vehicle Code, relating to all-terrain vehicles.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

AB 711

AB 1074

AB 2056

AB 2464

AB 2507

AB 2839

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

FIGUEROA, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 1793

Reports the same back with the recommendation: Do pass.

FIGUEROA, Chair

Above bill ordered to second reading.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

AB 262

AB 2436

AB 2682

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

FIGUEROA, Chair

Above measures re-referred to the Committee on Rules.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 2715

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

FIGUEROA, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Public Employment and Retirement

Date of Hearing, June 21, 2004

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

AB 3094

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.

SOTO, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Public Employment and Retirement, to which were referred:

AB 2554

AB 2681

AB 2750

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SOTO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

AB 2364

Reports the same back with the recommendation: Do pass.

SOTO, Chair

Above bill ordered to second reading.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Public Employment and Retirement, to which was referred:

AB 2233

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

SOTO, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2466

Reports the same back with the recommendation: Do pass.

SHER, Chair

Above bill ordered to second reading.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

AB 2880

AB 2906

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Transportation.

SHER, Chair

Above measures re-referred to the Committee on Transportation.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 901

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.

SHER, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Rules

Senate Chamber, June 21, 2004

Mr. President: The Committee on Rules has examined:

SB 1266	SB 1364	SB 1514
SB 1521	SB 1770	SB 1911

And reports that the same have been correctly enrolled, and presented to the Governor on the 21st day of June, 2004, at 4 p.m.

BURTON, Chair

Committee on Appropriations

Date of Hearing, June 21, 2004

Mr. President: The Committee on Appropriations, to which were referred:

AB 430	AB 1260
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Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Committee on Business and Professions

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Business and Professions, to which was referred:

AB 2390

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 2390—An act to amend Sections 1657, 1658, 1658.2, and 1800 of the Business and Professions Code, relating to the 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 Appropriations

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 81	AB 1852	AB 2151	ACR 156
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Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 81—An act to add Section 791.125 to the Insurance Code, relating to underwriting.

Bill read second time.

Assembly Bill 1852—An act to amend Sections 22851 and 24221 of the Education Code, relating to state teachers' retirement.

Bill read second time.

Assembly Bill 2151—An act to add Section 16001.10 to the Welfare and Institutions Code, relating to adoption practices.

Bill read second time.

Assembly Concurrent Resolution 156—Relative to the Burbank Police Officer Matthew Pavelka Memorial Freeway.

Resolution read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Local Government

Date of Hearing, June 16, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 3065

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2527

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Insurance

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Insurance, to which was referred:

AB 2389

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2389—An act to add Section 1373.185 to the Health and Safety Code, and to add Section 10133.4 to the Insurance Code, relating to health care coverage.

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 22, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2485

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2485—An act to add Section 17212.1 to the Education Code, relating to schools.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Date of Hearing, June 16, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 1963

AB 2629

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 1960

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 2821

Reports the same back with the recommendation: Do pass as amended.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Business and Professions

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 2457

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 Elections and Reapportionment

Date of Hearing, June 16, 2004

Mr. President: The Committee on Elections and Reapportionment, to which was referred:

AB 2454

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

PERATA, Chair

Above measure ordered to second reading.

Committee on Transportation

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Transportation, to which were referred:

AB 392 AB 466 AB 2377 AB 3048

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 392—An act to add Section 164.60 to the Streets and Highways Code, relating to transportation.

Bill read second time.

Assembly Bill 466—An act to add Sections 102024, 102025, 102026, 102027, 102028, 102100.1, 102100.2, 102100.3, 102100.4, 102100.5,

102100.6, 102100.7, and 101200.8 to, and to repeal Section 102100 of, the Public Utilities Code, relating to transportation.

Bill read second time.

Assembly Bill 2377—An act to amend Sections 1803.5, 1808.7, 11200, 11202, 11202.5, 11205, 11205.1, 11206, 11208, 11215, 41501, 42005.1, and 42007 of, and to add Section 11208.5 to, the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 3048—An act to amend Sections 22670, 22851.2, 22851.4, 22851.6, 22851.8, 22851.10, and 22852 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.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred:

AB 340

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.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which were referred:

AB 2628

AB 3050

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measures ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2884

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2884—An act to amend Section 13305 of the Water Code, relating to water.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Date of Hearing, June 21, 2004

Mr. President: The Committee on Housing and Community Development, to which were referred:

AB 2376 AB 2638

Reports the same back with the recommendation: Do pass.

DUCHENY, Chair

Above bills ordered to second reading.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 2398

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Revenue and Taxation.

DUCHENY, Chair

Above measure re-referred to the Committee on Revenue and Taxation.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 2581

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

DUCHENY, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Housing and Community Development, to which were referred:

AB 2702 AB 2838

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

DUCHENY, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 3022

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.

DUCHENY, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing, June 22, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2611

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

McPHERSON, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 1499 AB 1884 AB 1992 AB 2930

Reports the same back with the recommendation: Do pass.

McPHERSON, Chair

Above bills ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 20 AB 1865 AB 2078
AB 2216 AB 2705 AB 2749
AB 2905 AB 3042 AB 3095

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

McPHERSON, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Governmental Organization

Date of Hearing, June 22, 2004

Mr. President: The Committee on Governmental Organization, to which were referred:

AB 2397 AB 2565 AB 2878 AB 3087
AB 3088 AB 3089 AB 3091 AB 3096

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.

VINCENT, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Governmental Organization, to which were referred:

AB 79	AB 675	AB 1275	AB 2311
AB 249	AB 864	AB 1829	AB 2406
AB 671	AB 955	AB 1831	AB 2738

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VINCENT, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

SCR 72

Reports the same back with the recommendation: Be adopted.

VINCENT, Chair

Above resolution ordered to third reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Governmental Organization, to which were referred:

AB 425	AB 1780	AB 2538
AB 3083	AB 3085	

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

VINCENT, Chair

Above measures ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 2162

Reports the same back with the recommendation: Do pass.

VINCENT, Chair

Above bill ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 2401

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VINCENT, Chair

Above measure ordered to second reading.

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which was referred:

AB 1657

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

VINCENT, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Natural Resources and Wildlife

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2476

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Local Government.

KUEHL, Chair

Above measure re-referred to the Committee on Local Government.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which were referred:

AB 2517 AB 2635 AB 2760 AB 2830

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.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2666

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Transportation with the recommendation: To Consent Calendar.

KUEHL, Chair

Above measure re-referred to the Committee on Transportation.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which were referred:

AB 1222	AB 1982	AB 2146
AB 2155	AB 2519	

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.

Committee on Health and Human Services

Date of Hearing, June 16, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 649	AB 1569	AB 1958	AB 2326
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Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Natural Resources and Wildlife

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which were referred:

AB 2665	AB 2994
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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 2665—An act to amend Sections 71.4 and 76.3 of the Harbors and Navigation Code, relating to harbors and ports.

Bill read second time.

Assembly Bill 2994—An act to amend Section 12405 of the Public Contract Code, relating to public contracts.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1298

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 1298—An act to amend Section 6276.22 of the Government Code, and to amend Section 125191 of the Health and Safety Code, relating to genetic diseases.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1298 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HANCOCK

Permission of Rules Committee

Senate Chamber, June 22, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1298.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Public Safety

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 2019

AB 2661

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2019—An act to add Article 15.5 (commencing with Section 645) to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to minors.

Bill read second time.

Assembly Bill 2661—An act to amend Section 1536 of, and to add Sections 1506.7, 1506.8, and 1506.9 to, the Health and Safety Code, relating to foster care.

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 Wildlife

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2140

Reports the same back with the recommendation: Do pass.

KUEHL, Chair

Above bill ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 800

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

KUEHL, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2222

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Transportation.

KUEHL, Chair

Above measure re-referred to the Committee on Transportation.

Committee on Health and Human Services

Date of Hearing, June 16, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 72

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.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 22, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AB 1249

Reports the same back with the recommendation: Do pass as amended.
McPHERSON, Chair

Above measure ordered to second reading.

Committee on Public Employment and Retirement

Senate Chamber, June 22, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 459

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 459—An act to amend Sections 22816.7, 22816.8, and 22857 of, and to add Section 20057.2 to, the Government Code, relating to public employee benefits, 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.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Concurrent Resolution 84—Relative to the Larry Combs Memorial Rest Stop.

Resolution read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1870—An act to amend Sections 17314, 17314.1, 17321, 17331, 17331.1, 17331.2, 17332, and 17345.1 of the Financial Code, relating to financial institutions.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2876—An act to add Section 128766 to the Health and Safety Code, relating to health facilities.

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 2092—An act to add Section 1798.83.5 to the Civil Code, relating to credit to minors.

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 1297—An act to add Section 254 to the Insurance Code, and to add Section 19188 to the Revenue and Taxation Code, relating to taxation.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Revenue and Taxation.

Assembly Bill 2904—An act to amend Section 116.5 of the Insurance Code, relating to auto insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2129—An act to amend Section 10127.10 of the Insurance Code, relating to life insurance.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2185—An act to add Section 1367.06 to the Health and Safety Code, relating to health care coverage.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2677—An act to add Chapter 10.27 (commencing with Section 672) to Part 1 of Division 1 of the Insurance Code, relating to insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 252—An act to amend Sections 7575 and 7634 of, to add Section 7635.5 to, and to add Article 1.5 (commencing with Section 7645) to Chapter 4 of Part 3 of Division 12 of, the Family Code, relating to paternity.

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 129—An act to amend Sections 241.1, 387, and 11401 of, and to add Sections 241.2 and 366.5 to, the Welfare and Institutions Code, relating to the juvenile court.

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 2431—An act to amend Sections 12028, 12028.5, 12028.7, 12030, and 12084 of, and to add Section 12021.3 to, the Penal Code, and to repeal Section 8107 of the Welfare and Institutions 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 2861—An act to amend Sections 4017.1 and 5071 of the Penal Code, and to amend Section 219.5 of the Welfare and Institutions Code, relating to sentenced persons.

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 1071—An act to amend Sections 19227 and 19315 of, to amend, repeal, and add Section 15061 of, and to add Sections 19310.7 and 19317 to, the Food and Agricultural Code, relating to commercial feed, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2717—An act to add Section 65591.1 to the Government Code, relating to water conservation.

Bill read second time.

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2199—An act to add Section 2051.5 to the Insurance Code, relating to fire insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2709—An act to amend Section 4000.37 of, and to add Section 16058 to, the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Transportation.

Assembly Bill 1980—An act to add Section 18680.5 to the Elections Code, relating to initiative, referendum, and recall.

Bill read second time.

The amendments proposed by the Committee on Elections and Reapportionment were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2748—An act to amend Section 12241 of the Elections Code, relating to precincts.

Bill read second time.

The amendments proposed by the Committee on Elections and Reapportionment were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1784—An act to amend Section 86205 of, and to add Sections 84211.5 and 86119 to, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Elections and Reapportionment were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 1785—An act to amend Section 86205 of, and to add Section 86119 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time.

The amendments proposed by the Committee on Elections and Reapportionment were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 2877—An act to amend Section 25150.6 of the Health and Safety Code, relating to hazardous waste.

Bill read second time and ordered to third reading.

Assembly Bill 3081—An act to amend Sections 6202, 17083, and 17550.47 of the Business and Professions Code, to amend Section 47 of the Civil Code, to amend Sections 93, 94, 116.310, 116.770, 437c, 485.230, 708.020, 708.030, 1005, 1141.16, 1141.24, 1283.05, 1775.11, 1985.3, 1985.6, 1987.5, 1991.1, and 2093 of, to add Title 4 (commencing with Section 2016.010) to Part 4 of, and to repeal Article 3 (commencing with

Section 2016) of Chapter 3 of Title 3 of Part 4 of, the Code of Civil Procedure, to amend Sections 45312, 87675, 87679, and 88131 of the Education Code, to amend Sections 915, 1156, 1156.1, and 1560 of the Evidence Code, to amend Sections 3110.5, 3666, and 4331 of the Family Code, to amend Sections 309 and 5934 of the Fish and Game Code, to amend Sections 6276.04, 11045, 11187, 11189, 11511, 12972, 18671, 68092.5, and 68616 of the Government Code, to amend Sections 5710 and 6613 of the Labor Code, to amend Sections 186.11, 1054.6, and 1524 of the Penal Code, to amend Sections 451 and 452 of the Probate Code, to amend Section 20104.4 of the Public Contract Code, to amend Sections 3357 and 3769 of the Public Resources Code, to amend Section 1794 of the Public Utilities Code, to amend Section 25110 of the Revenue and Taxation Code, to amend Section 3050.1 of the Vehicle Code, and to amend Section 1100 of the Water Code, relating to civil discovery.

Bill read second time and ordered to third reading.

Assembly Bill 2676—An act to amend Section 21661.5 of the Public Utilities Code, relating to airports.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2805—An act relating to redevelopment.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2055—An act to amend Sections 65302, 65560, 65561, 65562, 65564, and 65566 of, and to add Section 65565 to, the Government Code, relating to land use.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1272—An act to add Section 11713.17 to the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 338—An act to add Section 42703 to the Public Resources Code, relating to recycling.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Environmental Quality.

Assembly Bill 2168—An act to amend Sections 7390, 7391, 7392, 7393, 7394, and 7395 of, and to add Section 7423.5 to, the Business and Professions Code, relating to barbering and cosmetology.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2318—An act to add Section 36525 to the Government Code, relating to cities.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Assembly Bill 2147—An act to add Section 11751.82 to the Insurance Code, relating to liability insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2962—An act to amend Section 2051 of the Insurance Code, relating to fire insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2289—An act to add Section 1375 to the Health and Safety Code, and to add Section 10123.671 to the Insurance Code, relating to health care.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2316—An act to add and repeal Section 10127.17 of the Insurance Code, relating to insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2520—An act to add Article 16.3 (commencing with Section 1758.7) to Chapter 5 of Part 2 of Division 1 of the Insurance Code, relating to self-service storage agents.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2759—An act to add Section 1366.2 to the Health and Safety Code, and to add Section 10127.17 to the Insurance Code, relating to health care.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1091—An act to amend Section 120130 of the Health and Safety Code, relating to disease prevention.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1091 pursuant to Joint Rule 58.

ASSEMBLY MEMBER NEGRETE McLEOD

Permission of Rules Committee

Senate Chamber, June 22, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1091.

BURTON, Chair

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2428—An act to amend Section 422.95 of, and to add Sections 422.96 and 422.97 to, the Penal Code, relating to hate 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 2742—An act to amend Section 2653 of the Penal Code, relating to prisons.

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 2347—An act to amend Section 1717.5 of the Civil Code, relating to attorney's fees.

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 2445—An act to amend Sections 4800, 4802, and 4805 of, and to amend and renumber Section 4716 of, the Probate Code, relating to advance health care directives.

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 2674—An act to amend Section 8700 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 to third reading.

Assembly Bill 2010—An act to add and repeal Sections 26840.10 and 26840.11 of the Government Code, to add and repeal Sections 103627 and 103628 of the Health and Safety Code, and to add and repeal Sections 18309 and 18309.5 of the Welfare and Institutions Code, relating to domestic violence.

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 2137—An act to amend Sections 26726, 26731, and 26733.5 of the Government Code, relating to law enforcement fees.

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 2872—An act to amend Section 17204 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 1802—An act to amend Section 374.3 of the Penal Code, relating to illegal dumping.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 152—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56505.1, 56506, and 56863 of, to add Section 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 321—An act to add Section 1366.2 to the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 750—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 753—An act to amend Section 22821.2 of the Government Code, relating to public employee health benefits, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 891—An act to amend Section 44010 of the Education Code, relating to school employees.

Bill read second time and ordered to third reading.

Assembly Bill 932—An act to amend Sections 2472 and 2484 of, and to repeal and add Section 2493 of, the Business and Professions Code, relating to podiatric medicine.

Bill read second time and ordered to third reading.

Assembly Bill 1127—An act to add Section 14001 to, and to repeal Sections 15037 and 15037.1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time and ordered to third reading.

Assembly Bill 1299—An act to amend Sections 1368.2, 1746, and 1749 of the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 1373—An act to amend Section 1416.22 of the Health and Safety Code, relating to health care, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1489—An act to amend Section 19826 of the Business and Professions Code, relating to gambling.

Bill read second time and ordered to third reading.

Assembly Bill 1596—An act to amend Sections 1363.07, 1373.65, and 1373.96 of the Health and Safety Code, and to amend Sections 10113.8 and 10133.56 of the Insurance Code, relating to health care coverage.

Bill read second time and ordered to third reading.

Assembly Bill 1694—An act to add Section 160 to the Penal Code, relating to bail services.

Bill read second time and ordered to third reading.

Assembly Bill 1848—An act to amend Section 18100.5 of, and to add Sections 18105, 18106, 18107, and 18108 to, the Probate Code, relating to trusts.

Bill read second time and ordered to third reading.

Assembly Bill 1907—An act to amend Section 451.5 of the Penal Code, relating to arson.

Bill read second time and ordered to third reading.

Assembly Bill 1929—An act to amend Section 53270 of the Government Code, relating to firefighters.

Bill read second time and ordered to third reading.

Assembly Bill 1937—An act to add Section 290.9 to the Penal Code, relating to sex offenders.

Bill read second time and ordered to third reading.

Assembly Bill 1946—An act to amend Section 1170 of the Penal Code, relating to sentencing.

Bill read second time and ordered to third reading.

Assembly Bill 1955—An act to add Section 1140.1 to the Insurance Code, relating to life insurance.

Bill read second time and ordered to third reading.

Assembly Bill 1956—An act to amend the heading of Chapter 2.8 (commencing with Section 1001.20) of Title 6 of Part 2 of, and to amend Sections 1001.20, 1001.21, 1001.22, and 1001.23 of, the Penal Code, relating to diversion.

Bill read second time and ordered to third reading.

Assembly Bill 1984—An act to add Section 2715.5 to the Public Resources Code, relating to surface mining

Bill read second time and ordered to third reading.

Assembly Bill 2037—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

Assembly Bill 2127—An act to amend Section 9542 of the Welfare and Institutions Code, relating to community-based services.

Bill read second time and ordered to third reading.

Assembly Bill 2171—An act to amend Section 44265.8 of, and to repeal Section 44265.10 of, the Education Code, relating to teacher credentialing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2238—An act to amend Section 1299.12 of, and to add Section 1299.14 to, the Penal Code, relating to bail.

Bill read second time and ordered to third reading.

Assembly Bill 2313—An act to amend Section 130311.5 of the Health and Safety Code, relating to medical information.

Bill read second time and ordered to third reading.

Assembly Bill 2352—An act to amend Sections 1568.01 and 1568.02 of the Health and Safety Code, relating to care facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2496—An act to add Chapter 5.1 (commencing with Section 16524) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to child welfare services.

Bill read second time and ordered to third reading.

Assembly Bill 2518—An act to add Section 5080.29 to the Public Resources Code, relating to state parks.

Bill read second time and ordered to third reading.

Assembly Bill 2531—An act to amend Sections 11165.7 and 11166.5 of the Penal Code, relating to child abuse reporting.

Bill read second time and ordered to third reading.

Assembly Bill 2550—An act to amend Sections 1790, 1792, 1792.4, and 1792.5 of, to add Sections 1792.7, 1792.8, 1792.9, and 1792.10 to, and to repeal Section 1792.1 of, the Health and Safety Code, relating to continuing care contracts.

Bill read second time and ordered to third reading.

Assembly Bill 2557—An act to amend Sections 1633 and 1749.1 of, and to add Section 1729.2 to, the Insurance Code, relating to insurance licensing.

Bill read second time and ordered to third reading.

Assembly Bill 2776—An act to amend Section 64201 of the Education Code, relating to education.

Bill read second time and ordered to third reading.

Assembly Bill 2795—An act to amend Sections 636, 636.1, 11404, 16051.1, and 16506 of the Welfare and Institutions Code, relating to child welfare services.

Bill read second time and ordered to third reading.

Assembly Bill 3063—An act to amend Section 66801 of the Education Code, relating to community college attendance, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2450—An act to amend Section 6609.1 of the Welfare and Institutions Code, relating to mental health.

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.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 1677** was re-referred to the Committee on Rules.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on June 24:

AB 2904	AB 932	AB 1955	AB 2795
AB 2199	AB 1127	AB 1984	SB 761
AB 2877	AB 1299	AB 2127	SB 1165
AB 3081	AB 1373	AB 2171	SB 1136
AB 2147	AB 1489	AB 2238	SB 1156
AB 1091	AB 1596	AB 2352	SB 1407
AB 2674	AB 1694	AB 2496	SB 1485
AB 2872	AB 1848	AB 2518	SB 1688
AB 1802	AB 1907	AB 2550	SB 1766
AB 152	AB 1929	AB 2557	
AB 891	AB 1937	AB 2776	

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2913—An act to amend Section 44253.10 of the Education Code, relating to teaching credentials.

Bill read third time.

Amendments Adopted

Amendments to AB 2913 proposed by Senator Vasconcellos were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 710—An act to amend Section 130052 of the Public Utilities Code, relating to transportation.

Bill read third time.

Amendments Adopted

Amendments to AB 710 proposed by Senator Murray were read and adopted and the measure ordered printed and to second reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1693** was withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Rules;

AB 6 was withdrawn from the Committee on Public Safety and re-referred to the Committee on Rules;

AB 1554 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

AB 815 and **AB 1647** were withdrawn from the Committee on Agriculture and Water Resources and re-referred to the Committee on Rules; and

AB 2476 was withdrawn from the Committee on Local Government and re-referred to the Committee on Appropriations.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Revenue and Taxation to meet at 1 p.m., June 23, without four days notice in the file.

SENATE COMMITTEE ROLL CALLS**Committee on Banking, Commerce and International Trade**

AB 2868—Do pass as amended and re-refer to Committee on Judiciary

AYES (6)—Senators Ducheny, Dunn, Florez, Karnette, Murray, and Perata.

NOES (1)—Senator Hollingsworth.

Date of Hearing: 6/21/04

Florez (Chair)

Committee on Business and Professions

AB 262—Do pass and re-refer to Committee on Rules

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (2)—Senators Aanestad and Brulte.

AB 711—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 1074—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 1721—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (2)—Senators Aanestad and Brulte.

AB 1725—Do pass as amended

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (2)—Senators Aanestad and Brulte.

AB 1793—Do pass

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (2)—Senators Aanestad and Brulte.

AB 1812—Do pass as amended

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 1975—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (1)—Senator Aanestad.

AB 2008—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 2056—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 2138—Do pass

AYES (3)—Senators Aanestad, Brulte, and Figueroa.

NOES (0)—None.

Failed passage

AB 2138—Reconsideration granted

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 2436—Do pass and re-refer to Committee on Rules

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 2457—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 2464—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 2507—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (2)—Senators Aanestad and Brulte.

AB 2562—Do pass as amended

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 2655—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

AB 2682—Do pass and re-refer to Committee on Rules

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (2)—Senators Aanestad and Brulte.

AB 2715—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators Cedillo, Figueroa, Machado, and Murray.

NOES (2)—Senators Aanestad and Brulte.

AB 2839—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Aanestad, Brulte, Cedillo, Figueroa, Machado, and Murray.

NOES (0)—None.

Date of Hearing: 6/21/04

Figueroa (Chair)

Committee on Environmental Quality

AB 901—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 1369—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (1)—Senator Morrow.

AB 1699—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators McPherson and Morrow.

AB 2093—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2176—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator Morrow.

AB 2251—Do pass as amended, to Consent Calendar

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2466—Do pass

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2585—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2587—Do pass as amended

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2672—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator McPherson.

AB 2880—Do pass and re-refer to Committee on Transportation

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators McPherson and Morrow.

AB 2906—Do pass and re-refer to Committee on Transportation

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators McPherson and Morrow.

Date of Hearing: 6/21/04

Sher (Chair)

Committee on Governmental Organization**SCR 72**—Be adopted

AYES (7)—Senators Battin, Brulte, Chesbro, Dunn, Morrow, Soto, and Vincent.

NOES (0)—None.

AB 79—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Battin, Brulte, Cedillo, Karnette, Margett, Morrow, Murray, Soto, and Vincent.

NOES (1)—Senator Dunn.

AB 249—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Cedillo, Chesbro, Dunn, Karnette, Murray, Soto, and Vincent.

NOES (4)—Senators Battin, Brulte, Margett, and Morrow.

AB 425—Do pass, to Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 667—Do pass as amended and re-refer to Committee on Appropriations

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 671—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Cedillo, Chesbro, Dunn, Karnette, Murray, Soto, and Vincent.

NOES (3)—Senators Battin, Brulte, and Morrow.

AB 675—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 864—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Cedillo, Chesbro, Dunn, Karnette, Machado, Morrow, Murray, and Vincent.

NOES (3)—Senators Battin, Brulte, and Soto.

AB 955—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Brulte, Cedillo, Chesbro, Dunn, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (1)—Senator Battin.

AB 1275—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Battin, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (1)—Senator Brulte.

AB 1657—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Chesbro, Dunn, Soto, and Vincent.

NOES (4)—Senators Battin, Brulte, Margett, and Morrow.

Failed passage

AB 1780—Do pass, to Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 1829—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Cedillo, Chesbro, Dunn, Karnette, Murray, Soto, and Vincent.

NOES (4)—Senators Battin, Brulte, Margett, and Morrow.

AB 1831—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 2162—Do pass

AYES (11)—Senators Brulte, Cedillo, Chesbro, Dunn, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (1)—Senator Battin.

AB 2311—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Cedillo, Chesbro, Dunn, Karnette, Machado, Murray, Soto, and Vincent.

NOES (4)—Senators Battin, Brulte, Margett, and Morrow.

AB 2397—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 2401—Do pass as amended and re-refer to Committee on Appropriations

AYES (12)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 2406—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Cedillo, Dunn, Karnette, Machado, Murray, Soto, and Vincent.

NOES (2)—Senators Brulte and Margett.

AB 2538—Do pass, to Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 2565—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 2738—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Cedillo, Chesbro, Dunn, Karnette, Machado, Murray, Soto, and Vincent.

NOES (4)—Senators Battin, Brulte, Margett, and Morrow.

AB 2878—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 3083—Do pass, to Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 3085—Do pass, to Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 3087—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 3088—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 3089—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 3091—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

AB 3096—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Battin, Brulte, Cedillo, Chesbro, Dunn, Johnson, Karnette, Machado, Margett, Morrow, Murray, Soto, and Vincent.

NOES (0)—None.

Date of Hearing: 6/22/04

Vincent (Chair)

Committee on Housing and Community Development

AB 269—Do pass as amended

AYES (7)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Florez, and Torlakson.

NOES (1)—Senator Hollingsworth.

AB 2158—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2348—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2376—Do pass

AYES (7)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2398—Do pass and re-refer to Committee on Revenue and Taxation

AYES (8)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2400—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Florez, and Torlakson.

NOES (0)—None.

AB 2581—Do pass and re-refer to Committee on Judiciary

AYES (8)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2638—Do pass

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2702—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2718—Do pass as amended and re-refer to Committee on Judiciary

AYES (8)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (0)—None.

AB 2838—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (1)—Senator Ackerman.

AB 3022—Do pass and re-refer to Committee on Appropriations. Rec. Consent

AYES (8)—Senators Ackerman, Alarcón, Cedillo, Ducheny, Dunn, Florez, Hollingsworth, and Torlakson.

NOES (0)—None.

Date of Hearing: 6/21/04

Ducheny (Chair)

Committee on Natural Resources and Wildlife**AB 113**—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Bowen, Denham, and Oller.

NOES (3)—Senators Kuehl, Sher, and Torlakson.

Failed passage

AB 113—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 454—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alpert, Kuehl, and Ortiz.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

Failed passage

AB 454—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 800—Do pass, to Consent Calendar

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 1222—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Bowen, Denham, Kuehl, Oller, Sher, and Torlakson.

NOES (1)—Senator Hollingsworth.

AB 1583—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Kuehl and Ortiz.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

Failed passage

AB 1583—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 1982—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2047—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, and Torlakson.

NOES (0)—None.

AB 2140—Do pass

AYES (8)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2146—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2155—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Denham, Hollingsworth, Kuehl, Oller, Sher, and Torlakson.

NOES (0)—None.

AB 2222—Do pass and re-refer to Committee on Transportation

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2420—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, and Torlakson.

NOES (0)—None.

AB 2476—Do pass and re-refer to Committee on Local Government

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2517—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2519—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2529—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2635—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2666—Do pass and re-refer to Committee on Transportation, with the recommendation: To Consent Calendar

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2760—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2830—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2911—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, and Torlakson.

NOES (0)—None.

AB 2915—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Hollingsworth and Oller.

NOES (0)—None.

Failed passage

AB 2915—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

Date of Hearing: 6/22/04

Kuehl (Chair)

Committee on Public Employment and Retirement**AB 2233—Do pass, to Consent Calendar**

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2364—Do pass

AYES (4)—Senators Ashburn, Escutia, Karnette, and Soto.

NOES (1)—Senator Oller.

AB 2554—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2681—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

AB 2750—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 3094—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

Date of Hearing: 6/21/04

Soto (Chair)

Committee on Public Safety**AB 20—Do pass and re-refer to Committee on Appropriations**

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 50—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (2)—Senators Margett and McPherson.

AB 99—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 488—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Margett, McPherson, and Vasconcellos.

NOES (0)—None.

AB 911—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 1249—Do pass as amended

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 1314—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (2)—Senators McPherson and Vasconcellos.

Failed passage

AB 1499—Do pass

AYES (4)—Senators Margett, McPherson, Romero, and Sher.

NOES (0)—None.

AB 1865—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Margett, Sher, and Vasconcellos.

NOES (1)—Senator McPherson.

AB 1884—Do pass

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 1992—Do pass

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2078—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2216—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Margett, McPherson, and Romero.

NOES (0)—None.

AB 2403—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2611—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators Burton, Margett, McPherson, and Vasconcellos.

NOES (0)—None.

AB 2705—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Burton, Romero, Sher, and Vasconcellos.

NOES (1)—Senator Margett.

AB 2749—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2905—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 2930—Do pass

AYES (4)—Senators Burton, Margett, McPherson, and Romero.

NOES (1)—Senator Vasconcellos.

AB 3042—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

AB 3095—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Margett, McPherson, Romero, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 6/22/04

McPherson (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to personal business: Senator Speier.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, June 23, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, June 23, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,
Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Poochigian,
Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and
Vincent—38.

Quorum present.

(NOTE: Senator Perata will be excused this day on personal business.)

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, June 23, 2004

The Committee on Rules has referred the following measure to committee:

Energy, Utilities and Communications—ACR 118.

The Committee on Rules has referred the following measure to two committees:

Governmental Organization and Constitutional Amendments—
SCA 24.

The Committee on Rules has re-referred the following measures to committee:

Education—AB 298, AB 816, AB 1554, AB 2435, AB 2479, AB 2596.

Energy, Utilities and Communications—AB 1647, AB 1908.

Governmental Organization—AB 6.

Health and Human Services—AB 1164, AB 1808, AB 2012, AB 2436, AB 2682.

Judiciary—AB 262, AB 1623.

Labor and Industrial Relations—AB 815.

Local Government—AB 502.

Public Employment and Retirement—AB 1693.

Public Safety—AB 1224.

Transportation—AB 70, AB 541, AB 1009, AB 1116.

The Committee on Rules has re-referred the following measure to two committees:

Revenue and Taxation and **Agriculture and Water Resources**—AB 2165.

Committee on Veterans Affairs

Date of Hearing, June 22, 2004

Mr. President: The Committee on Veterans Affairs, to which were referred:

AB 1520 AB 1939 AB 2269

Reports the same back with the recommendation: Do pass.

MORROW, Chair

Above bills ordered to second reading.

Committee on Insurance

Date of Hearing, June 16, 2004

Mr. President: The Committee on Insurance, to which was referred:

AB 1953

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SPEIER, Chair

Above measure ordered to second reading.

Committee on Veterans Affairs

Date of Hearing, June 22, 2004

Mr. President: The Committee on Veterans Affairs, to which were referred:

AB 2266 AB 3000 AJR 71

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

MORROW, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Environmental Quality

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 3090

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3090—An act to amend Section 21080 of the Public Resources Code, relating to environmental quality.

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 23, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 1945

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1945—An act to amend Section 1569.616 of the Health and Safety Code, relating to residential care facilities for the elderly.

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 23, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 3025

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3025—An act to amend Sections 58750 and 80074 of the Food and Agricultural Code, relating to agriculture.

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 23, 2004

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 1781

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1781—An act to amend Section 21626.5 of the Business and Professions Code, relating to secondhand dealers.

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 23, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1283 AB 2252 AB 2787 AB 2921

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 1283—An act to add Chapter 6.75 (commencing with Section 20650) to Division 8 of the Business and Professions Code, relating to motor fuels.

Bill read second time.

Assembly Bill 2252—An act to amend Sections 11000, 11000.1, 11004.5, 11018.1, and 11018.5 of, to add Chapter 2 (commencing with Section 11210) to Part 2 of Division 4 of, to repeal Sections 11004.6, 11018.8, 11018.9, 11018.10, 11018.11, and 11024 of, and to repeal Article 8.5 (commencing with Section 10250) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, to amend Sections 1365.1, 1367.1, 1689.5, and 1689.24 of the Civil Code, to amend Section 25021 of the Corporations Code, to amend Section 30610 of the Public Resources Code, and to amend Sections 998, 2188.8, 2188.9, and 7280 of the Revenue and Taxation Code, relating to time-share developments.

Bill read second time.

Assembly Bill 2787—An act to add Chapter 22.2 (commencing with Section 22580) to Division 8 of the Business and Professions Code, relating to privacy.

Bill read second time.

Assembly Bill 2921—An act to amend Sections 31001, 31119, 31125, 31300, 31303, 31402, 31403, 31405, 31410, and 31411 of, and to add Sections 31001.1, 31109, 31109.1, 31212, 31213, 31406, 31407, and 31408 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises, and declaring the urgency thereof, to take effect immediately.

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 Wildlife

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 2063

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 2063—An act relating to public resources, and declaring the 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.

Committee on Judiciary

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 320	AB 1000	AB 1839
AB 2240	AB 2275	AB 2530
AB 2580	AB 2889	AB 2900

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.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2807

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

ESCUTIA, Chair

Above measure re-referred to the Committee on Rules.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 2549	AB 2835
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Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

ESCUTIA, Chair

Above measures ordered to second reading.

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1962	AB 2261
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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 1962—An act to amend Sections 12340.5 and 12389 of the Insurance Code, relating to underwritten title companies.

Bill read second time.

Assembly Bill 2261—An act to amend, repeal, and add Sections 10006, 10085.5, 10133, 10133.1, 10139, 10151.5, 10152, 10153, 10158, 10159, 10159.2, 10171.5, 10177, 10180, 10185, 10231.2, and 10232.25 of, and to add Sections 10006.5, 10156.9, 10159.3, and 10211.5 to, the

Business and Professions Code, and to amend Sections 19191, 19192, and 19194 of the Revenue and Taxation Code, relating to real estate.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2040

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2040—An act to amend Sections 13369, 15250, and 15275 of the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Business and Professions

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 1725

Reports the same back with the recommendation: Do pass as amended.

FIGUEROA, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

AB 1369

AB 1699

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measures ordered to second reading.

Committee on Judiciary

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 358

AB 578

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 358—An act to add Section 8251 to the Government Code, relating to discrimination.

Bill read second time.

Assembly Bill 578—An act to add Section 27362 to, to add Article 6 (commencing with Section 27390) to Chapter 6 of Division 2 of Title 3 of, and to repeal Sections 27279.4 and 27398 of, the Government Code, relating to county recorders, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 1990

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 15, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2932

Reports the same back with the recommendation: Do pass as amended and be placed on the Consent Calendar.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 1265

Reports the same back with the recommendation: That the measure be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

ESCUTIA, Chair

Subject matter of the above measure referred to the Committee on Rules.

Committee on Health and Human Services

Date of Hearing, June 16, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 1957

AB 3036

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Public Safety

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 1567

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2657

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2657—An act to add Chapter 2 (commencing with Section 42100) to Part 3 of Division 30 of the Public Resources Code, relating to metal plating facilities.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Housing and Community Development

Date of Hearing, June 21, 2004

Mr. President: The Committee on Housing and Community Development, to which were referred:

AB 2158

AB 2348

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUCHENY, Chair

Above measures ordered to second reading.

Committee on Constitutional Amendments

Date of Hearing, June 23, 2004

Mr. President: The Committee on Constitutional Amendments, to which was referred:

SCA 11

Reports the same back with the recommendation: Be adopted.

POOCHIGIAN, Chair

Above resolution ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Constitutional Amendments, to which was referred:

SCA 19

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations.

POOCHIGIAN, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Agriculture and Water Resources

Date of Hearing, June 23, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which was referred:

AB 1896

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MACHADO, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which were referred:

AB 1983 AB 2095 AB 2141 AB 2916

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

MACHADO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which was referred:

AB 2734

Reports the same back with the recommendation: Do pass.

MACHADO, Chair

Above bill ordered to second reading.

Committee on Public Safety

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Public Safety, to which were referred:

AB 2191 AB 2474

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

McPHERSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2191—An act to amend Sections 1603 and 1604 of the Penal Code, relating to crimes.

Bill read second time.

Assembly Bill 2474—An act to amend Sections 15634 and 15655.5 of, and to add Section 15630.1 to, the Welfare and Institutions Code, relating to elder abuse.

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 23, 2004

Mr. President: The Chair of the Committee on Public Employment and Retirement, to which was referred:

AB 2982

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 2982—An act to amend Section 31725.6 of the Government Code, relating to county employees' retirement, and declaring the 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.

Committee on Rules

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 746

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 746—An act to amend Section 810 of the Business and Professions Code, and to repeal Section 14105.19 of the Welfare and Institutions Code, relating to the healing arts.

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 ASSEMBLY BILLS**

Assembly Bill 2254—An act to add and repeal Section 25250.22 of the Health and Safety Code, relating to hazardous waste.

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 1793—An act to add Chapter 6.7 (commencing with Section 20650) to Division 8 of the Business and Professions Code, relating to video games.

Bill read second time and ordered to third reading.

Assembly Bill 2364—An act to add Section 7514.3 to the Government Code, relating to state pension systems, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2233—An act to amend Sections 22171, 22650, 22651, 22661, 22663, 22705.5, 22714, 23203, 23300, 23812, 24114, 24214, 24221, 25000.9, 26004, 26140, 27400, 27401, 27406, and 44987 of, and to add Sections 22007.5 and 26002.5 to, the Education Code, relating to state teachers' retirement.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2466—An act to amend Sections 12812.2 and 12812.3 of the Government Code, relating to environmental protection.

Bill read second time and ordered to third reading.

Assembly Bill 430—An act to amend Sections 25296.09 and 25297.1 of the Health and Safety Code, relating to hazardous substances, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1260—An act to amend Sections 19720 and 19721 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 3065—An act to amend Sections 65302 and 65400 of, and to repeal and add Section 65302.5 of, the Government Code, and to

repeal Section 4128.5 of the Public Resources Code, relating to general plans.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2527—An act to amend Section 290 of the Penal Code, relating to sex offender registration.

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 1963—An act to amend Sections 1179.1, 104105, 104120, 104317, 104318, 104564, 105285, 120800, and 123515 of, and to add Sections 152.1 and 104250 to, the Health and Safety Code, relating to public health.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2629—An act to add Section 1566.75 to the Health and Safety Code, relating to community care facilities.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1960—An act to add Article 8 (commencing with Section 4130) to Chapter 9 of Division 2 of the Business and Professions Code, relating to pharmacy benefits management.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 2821—An act to add Section 14019.7 to the Welfare and Institutions Code, relating to health care services.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2457—An act to amend Section 94999 of the Education Code, relating to private postsecondary education, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2454—An act to amend Section 11302 of the Elections Code, relating to elections.

Bill read second time.

The amendments proposed by the Committee on Elections and Reapportionment were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 340—An act to amend Sections 21464 and 42001 of the Vehicle Code, relating to traffic control devices.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2628—An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 3050—An act to amend Section 20251 of the Public Contract Code, and to amend Section 188.10 of the Streets and Highways Code, relating to transportation.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2376—An act to amend Sections 1357.120 and 1373 of, and to add Section 1378 to, the Civil Code, relating to common interest developments.

Bill read second time and ordered to third reading.

Assembly Bill 2638—An act to add Section 17280.1 to the Education Code, and to add Sections 18948.1 and 129851 to the Health and Safety Code, relating to building standards.

Bill read second time and ordered to third reading.

Assembly Bill 1499—An act to amend Section 502.01 of the Penal Code, relating to child pornography.

Bill read second time and ordered to third reading.

Assembly Bill 1884—An act to amend Section 633 of the Penal Code, relating to privacy.

Bill read second time and ordered to third reading.

Assembly Bill 1992—An act to amend Section 11372.5 of the Health and Safety Code, relating to controlled substances.

Bill read second time and ordered to third reading.

Assembly Bill 2930—An act to amend Sections 3303 and 3304 of the Government Code, relating to public safety officers.

Bill read second time and ordered to third reading.

Assembly Bill 425—An act to amend Section 2 of Chapter 317 of the Statutes of 1997, to add Sections 4.5 and 5.5 to Chapter 74 of the Statutes of 1978, and to add Sections 2 and 3 to Chapter 526 of the Statutes of 1919, relating to public trust lands.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1780—An act to amend and renumber Sections 19805 and 19835.6 of the Business and Professions Code, relating to gaming.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2538—An act to amend Sections 19406 and 19596.1 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3083—An act to amend Section 19540 of, and to add Sections 19411.1, 19411.2, and 19412.1 to, the Business and Professions Code, relating to horse racing.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 3085—An act to amend Sections 23009 and 23356 of, to add Section 23021.5 to, and to repeal Section 23323 of, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2162—An act to amend Sections 12710, 12711, 12713, 12714, and 12715 of the Government Code, relating to gaming.

Bill read second time and ordered to third reading.

Assembly Bill 2401—An act to amend Section 13146.1 of, and to add Sections 12606.1, 13188.4, and 13197.6 to, the Health and Safety Code, relating to fire protection.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 649—An act to add Section 4501.3 to the Welfare and Institutions Code, relating to developmental services.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1569—An act to add Article 2.5 (commencing with Section 118947) to Chapter 4 of Part 15 of Division 104 of the Health and Safety Code, relating to public health.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1958—An act to add Part 9 (commencing with Section 22980) to Division 5 of Title 2 of the Government Code, relating to pharmaceutical purchasing consortium.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2326—An act to add Section 1368.021 to the Health and Safety Code, relating to prescription drugs.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 710—An act to amend Section 130052 of the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 2913—An act to amend Section 44253.10 of the Education Code, relating to teaching credentials.

Bill read second time and ordered to third reading.

Assembly Bill 2140—An act to amend Section 80172 of the Food and Agricultural Code, relating to desert species .

Bill read second time and ordered to third reading.

Assembly Bill 800—An act to amend Sections 30301 , 30301.2, 30301.5, 30310, 30512, and 30514.1 of, and to repeal Section 30512.1 of, the Public Resources Code, relating to the California Coastal Commission.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 72—An act to amend Sections 8212 and 8226 of the Education Code, and to amend Section 1596.853 of, and to add Sections 1596.773 and 1596.8555 to, the Health and Safety Code, relating to child care.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1249—An act to amend Section 1560 of the Evidence Code and Section 1326 of the Penal Code, relating to subpoenas.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed and to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 2638** and **AB 2962** were referred to the Committee on Appropriations.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1913** and **AB 2661** were withdrawn from the Committee on Public Safety and re-referred to the Committee on Appropriations;

AB 81 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules;

AB 2581 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations;

AB 2389 was withdrawn from the Committee on Insurance and re-referred to the Committee on Rules.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **AB 2715** was withdrawn from Committee and placed on second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Agriculture and Water Resources

AB 107—Do pass as amended and re-refer to Committee on Rules

AYES (10)—Senators Alpert, Bowen, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, and Poochigian.

NOES (0)—None.

AB 1896—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Bowen, Ducheny, Florez, Kuehl, Machado, and Torlakson.

NOES (4)—Senators Aanestad, Denham, Margett, and Poochigian.

AB 1983—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Bowen, Ducheny, Florez, Kuehl, Machado, and Torlakson.

NOES (5)—Senators Aanestad, Denham, Hollingsworth, Margett, and Poochigian.

AB 2095—Do pass and re-refer to Committee on Appropriations

AYES (12)—Senators Aanestad, Alpert, Bowen, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, Poochigian, and Torlakson.

NOES (0)—None.

AB 2141—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alpert, Bowen, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, and Poochigian.

NOES (0)—None.

AB 2197—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alpert, Bowen, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, and Poochigian.

NOES (0)—None.

AB 2572—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Bowen, Ducheny, Florez, Kuehl, Machado, and Margett.

NOES (4)—Senators Aanestad, Denham, Hollingsworth, and Poochigian.

AB 2733—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alpert, Bowen, Denham, Florez, Hollingsworth, Kuehl, Machado, Margett, and Poochigian.

NOES (0)—None.

AB 2734—Do pass

AYES (9)—Senators Alpert, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, and Poochigian.

NOES (2)—Senators Aanestad and Bowen.

AB 2916—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Denham, Ducheny, Florez, Kuehl, Machado, and Margett.

NOES (1)—Senator Aanestad.

AB 2925—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Ducheny, Florez, Kuehl, and Machado.

NOES (5)—Senators Aanestad, Denham, Hollingsworth, Margett, and Poochigian.

Failed Passage

Date of Hearing: 6/23/04

Machado (Chair)

Committee on Constitutional Amendments

SCA 11—Be adopted

AYES (3)—Senators Bowen, Burton, and Escutia.

NOES (1)—Senator Poochigian.

SCA 19—Be adopted and re-refer to Committee on Appropriations

AYES (3)—Senators Bowen, Burton, and Escutia.

NOES (1)—Senator Poochigian.

Date of Hearing: 6/23/04

Poochigian (Chair)

Committee on Judiciary

AB 320—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 1000—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 1155—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Kuehl.

NOES (1)—Senator Ackerman.

AB 1711—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 1839—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 1895—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Kuehl.

NOES (1)—Senator Ackerman.

AB 1910—Do pass as amended

AYES (5)—Senators Ackerman, Cedillo, Ducheny, Escutia, and Kuehl.

NOES (0)—None.

AB 1912—Do pass

AYES (2)—Senators Ackerman and Morrow.

NOES (2)—Senators Escutia and Kuehl.

Failed Passage

AB 1912—Reconsideration granted

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 1933—Do pass as amended

AYES (5)—Senators Ackerman, Cedillo, Ducheny, Escutia, and Kuehl.

NOES (0)—None.

AB 2018—Do pass as amended, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2148—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Cedillo, Ducheny, Escutia, and Kuehl.

NOES (0)—None.

AB 2167—Do pass as amended

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2209—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2228—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2240—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2275—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2317—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2351—Do pass as amended, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2358—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2404—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2502—Do pass as amended

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Morrow.

NOES (0)—None.

AB 2503—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2521—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2530—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2549—Do pass, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2580—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2627—Do pass and re-refer to Committee on Appropriations

AYES (1)—Senator Kuehl.

NOES (3)—Senators Ackerman, Ducheny, and Morrow.

Failed passage

AB 2627—Reconsideration granted

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2669—Do pass as amended

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2713—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2719—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2752—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2807—Do pass and re-refer to Committee on Rules

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2811—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2835—Do pass, to Consent Calendar

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2840—Do pass as amended

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2867—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2873—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 2889—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2900—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 3079—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

Date of Hearing: 6/22/04

Escutia (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to personal business: Senator Perata.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Alarcón requested that when the Senate adjourns this day it do so in memory of Raymond Ochoa of Van Nuys.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator' request until 8:30 a.m., Thursday, June 24, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, June 24, 2004

The Senate met at 8:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—38.

Quorum present.

(NOTE: Senator Romero will be excused this day due to a family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

The Gift of Color

Thank You for all the colors of the rainbow. Thank You for sharing these colors with all of the fish, and all of the birds, and all of the flowers that You have given us. And Thank You for the colors of the Heaven-in-the-earth and of the Heaven-in-the-sky, and for sharing these colors in the people of the world. You give us color as a gift, God, and I thank You for all of these beautiful colors and beautiful things and beautiful people. What special gifts You have given us. [Especially the gift of Mattie]—AMEN.

(Matthew Stepanek: 1990–2004)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Scott led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Local Government**

Date of Hearing, June 23, 2004

Mr. President: The Committee on Local Government, to which were referred:

AB 2851

AB 2856

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

TORLAKSON, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 2853

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

TORLAKSON, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 2224

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.

TORLAKSON, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 1827

Reports the same back with the recommendation: Do pass.

TORLAKSON, Chair

Above bill ordered to second reading.

Committee on Agriculture and Water Resources

Date of Hearing, June 23, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which was referred:

AB 2572

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MACHADO, Chair

Above measure ordered to second reading.

Committee on Rules

State Capitol, June 23, 2004

Mr. President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 5-0, has re-referred SB 1677 (Knight) to the Senate Committee on Judiciary.

BURTON, Chair

Committee on Environmental Quality

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2587

Reports the same back with the recommendation: Do pass.

SHER, Chair

Above bill ordered to second reading.

Committee on Appropriations

Senate Chamber, June 23, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 1801

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, June 24, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 1859

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1859—An act to add Section 17350.5 to the Corporations Code and to amend Sections 17941 and 17945 of the Revenue and Taxation Code, relating to limited liability companies.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Health and Human Services

Date of Hearing, June 23, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 379 AB 824 AB 2536 AB 2871
AB 2973 AB 2989 AB 3044

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 23, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 1794 AB 2747 AB 2897 AB 3027

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.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

ACR 216

Reports the same back with the recommendation: Be adopted and be placed on the Consent Calendar.

ORTIZ, Chair

Above measure ordered to second reading.

Senate Chamber, June 24, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which were referred:

AB 1164 AB 2012

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 1164—An act to amend Sections 5689.3 and 5689.7 of the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Assembly Bill 2012—An act to add Article 5 (commencing with Section 111821) to Chapter 7 of Part 5 of Division 104 of the Health and Safety Code, relating to cosmetics.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 426

Reports the same back with the recommendation: Do pass.

BOWEN, Chair

Above bill ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which were referred:

AB 594 AB 1684 AB 2172

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

BOWEN, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which were referred:

AB 2210 AB 2727 AB 2885 AB 2942

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.

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which was referred:
AB 2845

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which were referred:

AB 745	AB 1486	AB 1841
AB 1969	AB 2710	AB 2855

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which were referred:

AB 2196	AB 2286	AB 2295	AB 2407
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Reports the same back with the recommendation: Do pass.

VASCONCELLOS, Chair

Above bills ordered to second reading.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Constitutional Amendment 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII A thereof, by amending Section 4 of Article XIII A thereof, by amending Section 2 of Article XIII C thereof, by amending Section 3 of Article XIII D thereof, and by amending Section 18 of Article XVI thereof, relating to infrastructure projects.

Resolution read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1520—An act to add Chapter 8.7 (commencing with Section 1370) to Division 6 of the Military and Veterans Code, relating to veterans' memorials.

Bill read second time and ordered to third reading.

Assembly Bill 1939—An act to add Section 429.6 to the Government Code, relating to veterans.

Bill read second time and ordered to third reading.

Assembly Bill 2269—An act to amend Section 972.1 of the Military and Veterans Code, relating to veterans.

Bill read second time and ordered to third reading.

Assembly Bill 1953—An act to amend Sections 15006 and 15027 of, and to add Section 15027.1 to, of the Insurance Code, relating to public insurance adjusters.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2549—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3620 and 3620.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2835—An act to amend Section 810 of the Business and Professions Code, relating to health care.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1725—An act to amend Section 8617 of the Business and Professions Code, relating to structural pest control.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1369—An act to add Article 10.2.1(commencing with Section 25214.8.1) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

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 1699—An act to add Article 10.4 (commencing with Section 25214.30) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste

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 1990—An act to amend Section 16461 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 2932—An act to amend Sections 3440.1, 3440.3, and 3440.5 of the Civil Code, and to amend Section 5907 of the Vehicle Code, relating to commercial law.

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 1957—An act to add Sections 14982 and 14983 to the Government Code, and to add Article 5 (commencing with Section 110242) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 3036—An act to add Section 4204 to the Welfare and Institutions Code, relating to mental health.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1567—An act to amend Sections 830.3, 830.37, and 830.38 of the Penal Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to peace officers

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 2158—An act to amend Section 65582 of, to add Sections 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, and 65584.07 to, and to repeal and add Section 65584 of, the Government Code, relating to general plans.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2348—An act to amend Sections 65583, 65583.1, 65589.5, and 65915 of, and to add Section 65583.2 to, the Government Code, relating to housing.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1896—An act to amend Section 486 of the Food and Agricultural Code, relating to agricultural inspectors.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1896 pursuant to Joint Rule 58.

ASSEMBLY MEMBER JEROME HORTON

Permission of Rules Committee

Senate Chamber, June 24, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1896.

BURTON, Chair

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2734—An act to amend Section 1007 of the Fox Canyon Groundwater Management Agency Act (Chapter 1023 of the Statutes of 1982), relating to the Fox Canyon Groundwater Management Agency, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2715—An act to add Chapter 33 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to telemarketing.

Bill read second time and ordered to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures were withdrawn from committee and set as a Special Consent Calendar to be taken up today.

SCR 86

SCR 87

ACR 237

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

Consideration of Assembly Amendments

Senate Bill 1328—An act to amend Sections 65863.10, 65863.11, and 65863.13 of the Government Code, relating to housing.

Bill presented by Senator Torlakson.

The question being: Shall the Senate concur in the Assembly amendments to SB 1328?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 987—An act to amend Section 42285.3 of the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Aanestad.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Senator Alpert Presiding

Assembly Bill 509—An act to amend Sections 19596.1 and 19596.2 of, and to add Section 19596.3 to, the Business and Professions Code, relating to horse racing, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Johnson.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata, Poochigian, Sher, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators Hollingsworth and Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Murray, Ortiz, Perata, Poochigian, Sher, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators Hollingsworth and Scott.

Bill ordered transmitted to the Assembly.

Assembly Bill 430—An act to amend Sections 25296.09 and 25297.1 of the Health and Safety Code, relating to hazardous substances, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Sher.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray,

Oller, Ortiz, Perata, Poochigian, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 753—An act to amend Section 22821.2 of the Government Code, relating to public employee health benefits, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Battin.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators Ashburn and McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (2)—Senators Ashburn and McClintock.

Bill ordered transmitted to the Assembly.

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Florez moved that **AB 1979** be placed on the inactive file.

Senator Soto moved that **AB 2233** be placed on the inactive file.

Motions carried.

CONSENT CALENDAR

Objections Raised

Without objection, **AB 1299** was removed from the Special Consent Calendar.

Senator Hollingsworth objected to **AB 425** and **AB 2776** being on the Consent Calendar.

Senator Alpert objected to **AB 2147** being on the Special Consent Calendar.

Senator Scott objected to **AB 2557** being on the Special Consent Calendar.

Senator Ortiz objected to **AB 474, AB 1091, AB 1489, AB 1955, AB 1984, AB 2069, AB 2129, AB 2127, and AB 2795** being on the Consent Calendar.

Senator Vincent objected to **AB 2538** and **AB 3083** being on the Consent Calendar.

Senator Kuehl objected to **AB 1696** being on the Consent Calendar.

The President ordered the above measures placed on the third reading file.

Senator Perata objected to **AB 2451, AB 3098, and AB 3100** being on the Consent Calendar.

The President ordered the above measures placed on the inactive file.

Assembly Bill 2492—An act to amend Section 8811.5 of the Family Code, relating to adoption.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3078—An act to amend Sections 116.410, 411.20, 1005, 2024, and 2034 of, and to add Section 2016.060 to, the Code of Civil Procedure, relating to procedure.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2566—An act to amend Section 654.05 of the Harbors and Navigation Code, relating to boating.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3099—An act to repeal Section 11382 of the Elections Code, relating to recall elections.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2512—An act to amend Section 51221.4 of the Education Code, relating to curriculum.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1268—An act to add Section 65302.4 to the Government Code, relating to land use.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2671—An act to amend Section 4406 of the Commercial Code, relating to commercial law.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1870—An act to amend Sections 17314, 17314.1, 17321, 17331, 17331.1, 17331.2, 17332, and 17345.1 of the Financial Code, relating to financial institutions.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2347—An act to amend Section 1717.5 of the Civil Code, relating to attorney's fees.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Concurrent Resolution 86—Relative to Pain Awareness Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 87—Relative to soccer in California.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 237—Relative to National Fishing and Boating Week.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2904—An act to amend Section 116.5 of the Insurance Code, relating to auto insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2199—An act to add Section 2051.5 to the Insurance Code, relating to fire insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2877—An act to amend Section 25150.6 of the Health and Safety Code, relating to hazardous waste.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3081—An act to amend Sections 6202, 17083, and 17550.47 of the Business and Professions Code, to amend Section 47 of the Civil Code, to amend Sections 93, 94, 116.310, 116.770, 437c, 485.230, 708.020, 708.030, 1005, 1141.16, 1141.24, 1283.05, 1775.11, 1985.3, 1985.6, 1987.5, 1991.1, and 2093 of, to add Title 4 (commencing with Section 2016.010) to Part 4 of, and to repeal Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of, the Code of Civil Procedure, to amend Sections 45312, 87675, 87679, and 88131 of the Education Code, to amend Sections 915, 1156, 1156.1, and 1560 of the Evidence Code, to amend Sections 3110.5, 3666, and 4331 of the Family Code, to amend Sections 309 and 5934 of the Fish and Game Code, to amend Sections 6276.04, 11045, 11187, 11189, 11511, 12972, 18671, 68092.5, and 68616 of the Government Code, to amend Sections 5710 and 6613 of the Labor Code, to amend Sections 186.11, 1054.6, and 1524 of the Penal Code, to amend Sections 451 and 452 of the Probate Code, to amend Section 20104.4 of the Public Contract Code, to amend Sections 3357 and 3769 of the Public Resources Code, to amend Section 1794 of the Public Utilities Code, to amend Section 25110 of the Revenue and Taxation Code, to amend Section 3050.1 of the Vehicle Code, and to amend Section 1100 of the Water Code, relating to civil discovery.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2674—An act to amend Section 8700 of the Family Code, relating to adoption.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2872—An act to amend Section 17204 of the Probate Code, relating to trusts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1802—An act to amend Section 374.3 of the Penal Code, relating to illegal dumping.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 152—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56505.1, 56506, and 56863 of, to add Section 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education

Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 891—An act to amend Section 44010 of the Education Code, relating to school employees.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 932—An act to amend Sections 2472 and 2484 of, and to repeal and add Section 2493 of, the Business and Professions Code, relating to podiatric medicine.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1127—An act to add Section 14001 to, and to repeal Sections 15037 and 15037.1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1373—An act to amend Section 1416.22 of the Health and Safety Code, relating to health care, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1596—An act to amend Sections 1363.07, 1373.65, and 1373.96 of the Health and Safety Code, and to amend Sections 10113.8 and 10133.56 of the Insurance Code, relating to health care coverage.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1694—An act to add Section 160 to the Penal Code, relating to bail services.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1848—An act to amend Section 18100.5 of, and to add Sections 18105, 18106, 18107, and 18108 to, the Probate Code, relating to trusts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1907—An act to amend Section 451.5 of the Penal Code, relating to arson.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1929—An act to amend Section 53270 of the Government Code, relating to firefighters.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1937—An act to add Section 290.9 to the Penal Code, relating to sex offenders.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2171—An act to amend Section 44265.8 of, and to repeal Section 44265.10 of, the Education Code, relating to teacher credentialing, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2238—An act to amend Section 1299.12 of, and to add Section 1299.14 to, the Penal Code, relating to bail.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2352—An act to amend Sections 1568.01 and 1568.02 of the Health and Safety Code, relating to care facilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2496—An act to add Chapter 5.1 (commencing with Section 16524) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to child welfare services.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2518—An act to add Section 5080.29 to the Public Resources Code, relating to state parks.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2550—An act to amend Sections 1790, 1792, 1792.4, and 1792.5 of, to add Sections 1792.7, 1792.8, 1792.9, and 1792.10 to, and to repeal Section 1792.1 of, the Health and Safety Code, relating to continuing care contracts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 761—An act to amend Sections 1278 and 1287 of the Penal Code, relating to bail services.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1165—An act to amend Section 17924 of the Business and Professions Code, to amend Sections 6253, 6293.5, 30801, 30803, 30805, and 30850 of, and to repeal Section 30806 of, the Food and Agricultural Code, to amend Sections 24003, 25151, 25502.3, 26806, 26859, 51238.2, 53601.7, 53630, 54222, 55631, 66452.6, and 66473.7 of, to add Sections 50057 and 53601.2 to, and to repeal Section 26835 of, the Government Code, to repeal Section 1184 of the Military and Veterans Code, to amend Sections 11534, 11910, and 22553.2 of the Public Utilities Code, to amend Sections 34701 and 60622 of the Water Code, and to amend Section 16809.4 of the Welfare and Institutions Code, relating to local government.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1136—An act to amend Section 21180 of the Public Contract Code, to amend Sections 12741 and 12742 of the Water Code, and to amend Sections 1, 2, 4, 5, 6, and 41 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the Lake County Flood Control and Water Conservation District.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1156—An act to add Part 4 (commencing with Section 18000) to Division 7 of the Business and Professions Code, relating to business.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1407—An act to amend Section 2640 of the Family Code, relating to property.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1485—An act to amend Sections 2620 and 2622 of the Business and Professions Code, relating to physical therapy.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1688—An act to add Chapter 8.7 (commencing with Section 1365) to Division 6 of the Military and Veterans Code, relating to veterans.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1766—An act to add Section 47605.2 to the Education Code, relating to charter schools.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

REQUEST TO RETURN BILL TO SENATE

Senator Kuehl requested that the Secretary of the Senate ask the Governor to return SB 1341 to the Senate for further action.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
June 24, 2004

To the Members of the Senate:

Pursuant to your request, I am returning SB 1341 on behalf of the Governor, for further action by the Senate.

Sincerely,

PAMELA K. OTO
Private Secretary of the Governor

Above bill ordered transmitted to the Assembly on request of Senator Kuehl.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to a family illness: Senator Romero.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 9:39 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, June 28, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 24, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

SCA 18

E. DOTSON WILSON, Chief Clerk of the Assembly

Above resolution ordered enrolled.

Assembly Chamber, June 24, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 382	SB 1157	SB 1169	SB 1288
SB 1536	SB 1591	SB 1872	

Above measures ordered enrolled.

Assembly Chamber, June 24, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

SCR 81 SJR 20
Above resolutions ordered enrolled.

Assembly Chamber, June 24, 2004

Madam President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 6 SB 550 SB 1034 SB 1145
SB 1493 SB 1558 SB 1823

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, June 24, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 987 AB 1618 AB 2470

Assembly Chamber, June 24, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

AB 56 AB 242

Assembly Chamber, June 24, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 178 AJR 60 AJR 89

Assembly Chamber, June 24, 2004

*The Honorable Greg Schmidt
Secretary of the Senate*

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 1186 and AB 2654 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 178—Relative to the Compressed Air Foam System (CAFS).

Assembly Joint Resolution 60—Relative to immigration.

Assembly Joint Resolution 89—Relative to corporate average fuel economy standards.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, June 23, 2004

Madam President: The Senate Rules Committee has appointed Senator Morrow as a member and Vice Chair of the Senate Committee on Environmental Quality to fill an existing vacancy.

The Senate Rules Committee has appointed Ms. Anni Y. Chung of San Francisco as a member of the California Commission on Aging to serve for a term ending June 23, 2007.

BURTON, Chair

Committee on Banking, Commerce and International Trade

Date of Hearing, June 21, 2004

Madam President: The Committee on Banking, Commerce and International Trade, to which was referred:

AB 2868

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

FLOREZ, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2874

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 2874—An act to amend Sections 1255.1 and 1300 of 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 Environmental Quality

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Environmental Quality, to which were referred:

AB 2277

AB 2883

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2277—An act to amend Section 25211 of, and to add Sections 25211.1, 25211.2, 25211.3, and 25211.4 to, the Health and Safety Code, and to amend Sections 42167 and 42175 of the Public Resources Code, relating to hazardous waste.

Bill read second time.

Assembly Bill 2883—An act to amend Section 5 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara Valley Water District.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, June 16, 2004

Madam President: The Committee on Education, to which were referred:

AB 1846

AB 2841

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Committee on Rules

State Capitol, June 23, 2004

Madam 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:

Jeanne S. Woodford, Director, Department of Corrections (5-0)

Roderick Hickman, Secretary, Youth and Adult Correctional Agency (5-0)

Rex S. Hime, Director, California Exposition and State Fair Board of Governors (5-0)

Isam Hasenin, Member, State Building Standards Commission (5-0)

Robert Pernel, Member, State Building Standards Commission (5-0)

BURTON, Chair

Above ordered to unfinished business.

Committee on Housing and Community Development

Date of Hearing, June 21, 2004

Madam President: The Committee on Housing and Community Development, to which was referred:

AB 2718

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing, June 23, 2004

Madam President: The Committee on Revenue and Taxation, to which were referred:

AB 2030

AB 2480

AB 3071

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.

CEDILLO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 23, 2004

Madam President: The Committee on Revenue and Taxation, to which was referred:

AB 2398

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CEDILLO, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2004

Madam President: The Committee on Revenue and Taxation, to which was referred:

AB 3073

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.

CEDILLO, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2004

Madam President: The Committee on Revenue and Taxation, to which were referred:

AB 263

AB 1073

AB 1187

AB 2813

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

CEDILLO, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 23, 2004

Madam President: The Committee on Revenue and Taxation, to which were referred:

AB 1416 AB 1546 AB 2144

Reports the same back with the recommendation: Do pass.

CEDILLO, Chair

Above measures ordered to second reading.

Committee on Governmental Organization

Date of Hearing, June 22, 2004

Madam President: The Committee on Governmental Organization, to which was referred:

AB 667

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VINCENT, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1808

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 1808—An act to amend Section 104375 of the Health and Safety Code, relating to tobacco.

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 24, 2004

Madam President: The Chair of the Committee on Appropriations, to which was referred:

AB 2491

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Date of Hearing, June 21, 2004

Madam President: The Committee on Appropriations, to which was referred:

AB 1356

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 214

AB 969

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 214—An act to amend Section 1048 of, and to, add Section 1051 to the Military and Veterans Code, and to add and repeal Article 11.5 (commencing with Section 18826) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill 969—An act to amend Sections 17700 and 53511 of the Government Code, relating to local agency financing.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Business and Professions, to which was referred:

AB 2390

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 2390—An act to amend Sections 1657, 1658, and 1658.2 of, and to add Section 1625.1 to, the Business and Professions Code, relating to the 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 Education

Date of Hearing, June 24, 2004

Madam President: The Committee on Education, to which were referred:

AB 825	AB 2066	AB 2080
AB 2152	AB 2435	AB 2462

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 24, 2004

Madam President: The Committee on Education, to which was referred:
AB 816

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.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 24, 2004

Madam President: The Committee on Education, to which was referred:
AB 1987

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Rules.

Committee on Labor and Industrial Relations

Date of Hearing, June 23, 2004

Madam President: The Committee on Labor and Industrial Relations, to which were referred:

AB 1324	AB 1362	AB 2213	AB 2532
AB 2545	AB 2704	AB 2837	AB 2866

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

ALARCÓN, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Energy, Utilities and Communications

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Energy, Utilities and Communications, to which was referred:

AB 2006

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 2006—An act to add Article 17 (commencing with Section 400) to Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, relating to electricity.

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 24, 2004

Madam President: The Chair of the Committee on Judiciary, to which were referred:

SJR 2

AB 1707

AB 2598

AB 2725

AB 3080

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

Senate Joint Resolution 2—Relative to privacy.

Resolution read second time.

Assembly Bill 1707—An act to amend Sections 52 and 54.3 of the Civil Code, relating to civil rights.

Bill read second time.

Assembly Bill 2598—An act to amend Sections 1353.6, 1363, 1365.1, 1365.2, 1366, and 1367.1 of, and to add Section 1367.3 to, the Civil Code, relating to common interest developments.

Bill read second time.

Assembly Bill 2725—An act to amend Section 30824 of, and to add Section 30324.5 to, the Public Resources Code, relating to the California Coastal Commission.

Bill read second time.

Assembly Bill 3080—An act to amend Section 6002.1 of the Business and Professions Code, relating to attorneys.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Health and Human Services

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1298

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 1298—An act to amend Section 6276.22 of the Government Code, and to amend Section 125191 of the Health and Safety Code, relating to genetic diseases, and declaring the 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.

Committee on Rules

Senate Chamber, June 24, 2004

Madam President: The Committee on Rules has examined:

SB 438 SB 1143 SB 1169 SB 1208

SB 1284 SB 1413 SB 1465 SB 1784

And reports that the same have been correctly enrolled, and presented to the Governor on the 24th day of June, 2004, at 3 p.m.

BURTON, Chair

Committee on Education

Date of Hearing, June 24, 2004

Madam President: The Committee on Education, to which were referred:

AB 164

AB 2647

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, June 24, 2004

Madam President: The Committee on Education, to which were referred:

AB 1988

AB 2686

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Health and Human Services.

VASCONCELLOS, Chair

Above measures re-referred to the Committee on Health and Human Services.

Committee on Business and Professions

Date of Hearing, June 21, 2004

Madam President: The Committee on Business and Professions, to which was referred:

AB 1721

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 Local Government

Date of Hearing, June 16, 2004

Madam President: The Committee on Local Government, to which was referred:

AB 1075

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Business and Professions

Date of Hearing, June 21, 2004

Madam President: The Committee on Business and Professions, to which was referred:

AB 2562

Reports the same back with the recommendation: Do pass as amended.

FIGUEROA, Chair

Above measure ordered to second reading.

Committee on Labor and Industrial Relations

Date of Hearing, June 23, 2004

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

AB 2350

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.

ALARCÓN, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 23, 2004

Madam President: The Committee on Labor and Industrial Relations, to which were referred:

AB 1867 AB 1918 AB 2028 AB 2684

Reports the same back with the recommendation: Do pass.

ALARCÓN, Chair

Above bills ordered to second reading.

Date of Hearing, June 23, 2004

Madam President: The Committee on Labor and Industrial Relations, to which was referred:

AB 1825

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Rules.

ALARCÓN, Chair

Above measure re-referred to the Committee on Rules.

Committee on Public Safety

Date of Hearing, June 22, 2004

Madam President: The Committee on Public Safety, to which was referred:

AB 911

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 1988

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 1988—An act to add Section 38086 to the Education Code, relating to schools.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Natural Resources and Wildlife

Senate Chamber, June 24, 2004

Madam President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 1583

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 1583—An act to add Section 30238 to the Public Resources Code, relating to coastal resources.

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 24, 2004

Madam President: The Chair of the Committee on Judiciary, to which was referred:

AB 2783

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 2783—An act to amend Section 27388 of the Government Code, relating to recording fees.

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 22, 2004

Madam President: The Committee on Judiciary, to which was referred:

AB 2502

Reports the same back with the recommendation: Do pass as amended.
ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Madam President: The Committee on Judiciary, to which was referred:
AB 2018

Reports the same back with the recommendation: Do pass as amended and
be placed on the Consent Calendar.

ESCUTIA, Chair

Above measure ordered to second reading.

UNANIMOUS CONSENT TO READ BILL SECOND TIME

Without objection, AB 2491 was given its second reading upon being
reported by committee.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 2491—An act to amend Sections 22971, 22974.7,
22979, 22979.4, and 22980.2 of, and to add Sections 22978.8 and 22983
to, the Business and Professions Code, and to amend Sections 30211 and
30437 of the Revenue and Taxation Code, relating to tobacco products.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2491
pursuant to Joint Rule 58.

ASSEMBLY MEMBER JEROME HORTON

Permission of Rules Committee

Senate Chamber, June 24, 2004

The Committee on Rules grants permission to offer amendments which would add an
urgency section to AB 2491.

BURTON, Chair

The amendments proposed by the Committee on Appropriations were
read and adopted and the measure ordered printed, and to third reading.

RE-REFERENCE TO COMMITTEE

CONSIDERATION OF DAILY FILE (RESUMED)

Pursuant to Joint Rule 10.5, **AB 1520** was 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 June 28:

- | | | | |
|---------|---------|---------|---------|
| AB 2466 | AB 2376 | AB 2913 | AB 1249 |
| AB 1939 | AB 2269 | AB 1990 | |

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1945** was withdrawn from the Committee on Public Safety and re-referred to the Committee on Appropriations;

AB 3070 was withdrawn from the Committee on Appropriations and re-referred to the Committee on Judiciary;

AB 1693 was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committee on Rules; and

AB 459 was withdrawn from the Committee on Public Employment and Retirement and re-referred to the Committee on Rules.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 61)**

Without objection, the action was rescinded whereby AB 61 was passed to the Assembly, and the measure was taken up without reference to file.

Consideration of Assembly Bill 61

Assembly Bill 61—An act to add and repeal Section 71093 of the Education Code, relating to the Compton Community College District, and declaring the urgency thereof, to take effect immediately.

Bill read.

Motion to Amend

Amendments to AB 61 proposed by Senator Scott were read and adopted and the measure ordered printed and to second reading.

**CONSIDERATION OF DAILY FILE (RESUMED)
REQUEST FOR UNANIMOUS CONSENT (AB 380)**

Senator Alpert asked for, and was granted, unanimous consent that AB 380 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 380

Assembly Bill 380—An act to add Section 5855.7 to the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Motion to Amend

Amendments to AB 380 proposed by Senator Alpert were read and adopted and the measure ordered printed and re-referred to the Committee on Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2782—An act to amend Section 54954.5 of, and to add Section 54956.96 to, the Government Code, relating to public agencies.

Bill read third time.

Amendments Adopted

Amendments to AB 2782 proposed by Senator Battin were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 434—An act to add Section 53856.2 to the Government Code, relating to temporary borrowing by the City of Richmond, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 434 proposed by Senator Perata were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 425—An act to amend Section 2 of Chapter 317 of the Statutes of 1997, to add Sections 4.5 and 5.5 to Chapter 74 of the Statutes of 1978, and to add Sections 2 and 3 to Chapter 526 of the Statutes of 1919, relating to public trust lands.

Bill read third time.

Amendments Adopted

Amendments to AB 425 proposed by Senator Johnson were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 224—An act to add Section 1353.7 to the Civil Code, and to amend Section 13132.7 of the Health and Safety Code, relating to roof covering materials.

Bill read third time.

Amendments Adopted

Amendments to AB 224 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 750—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time.

Amendments Adopted

Amendments to AB 750 proposed by Senator Figueroa were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS

Committee on Education

AB 42—Do pass as amended

AYES (9)—Senators Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 745—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Vasconcellos, and Vincent.

NOES (1)—Senator McPherson.

AB 780—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alpert, Chesbro, McPherson, Sher, and Vasconcellos.

NOES (0)—None.

Failed passage

AB 780—Reconsideration granted

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 1486—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 1636—Do pass as amended

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 1832—Do pass

AYES (2)—Senators Karnette and McPherson.

NOES (3)—Senators Denham, Sher, and Vasconcellos.

Failed passage

AB 1841—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 1860—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Chesbro, Karnette, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 1944—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

AB 1969—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2196—Do pass

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2210—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2286—Do pass

AYES (9)—Senators Alpert, Chesbro, Denham, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2295—Do pass

AYES (11)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

AB 2339—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2387—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

AB 2407—Do pass

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2446—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

AB 2477—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2678—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Vasconcellos, and Vincent.

NOES (2)—Senators Denham and McPherson.

AB 2710—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Chesbro, Karnette, Scott, Sher, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

AB 2724—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

AB 2727—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2800—Do pass as amended

AYES (9)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Romero, Scott, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2845—Do pass, to Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2855—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2860—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2885—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2942—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (12)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Sher, Speier, Vasconcellos, and Vincent.

NOES (0)—None.

AB 3010—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, Romero, Scott, Sher, Vasconcellos, and Vincent.

NOES (1)—Senator Denham.

Date of Hearing: 6/23/04

Vasconcellos (Chair)

Committee on Energy, Utilities and Communications

AB 151—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (5)—Senators Battin, Bowen, McClintock, Morrow, and Murray.

Failed passage

AB 426—Do pass

AYES (6)—Senators Alarcón, Battin, Bowen, McClintock, Morrow, and Murray.

NOES (0)—None.

AB 428—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Battin, McClintock, and Morrow.

NOES (3)—Senators Bowen, Dunn, and Murray.

Failed passage

AB 594—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Battin, Bowen, Dunn, Murray, and Sher.

NOES (1)—Senator McClintock.

AB 1157—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Bowen, Dunn, Morrow, Murray, and Vasconcellos.

NOES (1)—Senator McClintock.

AB 1468—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Bowen, Dunn, Morrow, and Murray.

NOES (2)—Senators Battin and McClintock.

AB 1684—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Battin, Bowen, Dunn, Morrow, Murray, Sher, and Vasconcellos.

NOES (1)—Senator McClintock.

AB 1733—Do pass as amended

AYES (7)—Senators Alarcón, Battin, Bowen, Dunn, Murray, Sher, and Vasconcellos.

NOES (0)—None.

AB 1874—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Battin, Bowen, Dunn, McClintock, Morrow, Sher, and Vasconcellos.

NOES (0)—None.

AB 1889—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Battin, Bowen, Dunn, McClintock, Morrow, Murray, Sher, and Vasconcellos.

NOES (0)—None.

AB 2172—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Bowen, Dunn, Murray, Sher, and Vasconcellos.

NOES (3)—Senators Battin, McClintock, and Morrow.

AB 2283—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Bowen, Dunn, Murray, Sher, and Vasconcellos.

NOES (3)—Senators Battin, McClintock, and Morrow.

AB 2447—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alarcón, Dunn, Morrow, and Murray.

NOES (0)—None.

Failed passage

AB 2447—Reconsideration granted

AYES (9)—Senators Alarcón, Battin, Bowen, Dunn, McClintock, Morrow, Murray, Sher, and Vasconcellos.

NOES (0)—None.

AB 2499—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Bowen, Dunn, Morrow, Murray, Sher, and Vasconcellos.

NOES (2)—Senators Battin and McClintock.

AB 2505—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Battin and Morrow.

NOES (4)—Senators Bowen, Dunn, McClintock, and Sher.

Failed passage

AB 2509—Do pass as amended

AYES (7)—Senators Alarcón, Battin, Bowen, Dunn, Morrow, Murray, and Sher.

NOES (1)—Senator McClintock.

AB 2591—Do pass as amended and re-refer to Committee on Public Safety

AYES (8)—Senators Alarcón, Battin, Bowen, Dunn, Morrow, Murray, Sher, and Vasconcellos.

NOES (1)—Senator McClintock.

AB 2685—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Bowen, Dunn, Murray, and Vasconcellos.

NOES (2)—Senators Battin and Morrow.

AB 2758—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Battin, Bowen, Dunn, Morrow, Murray, Sher, and Vasconcellos.

NOES (1)—Senator McClintock.

AB 2803—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Battin, Morrow, and Murray.

NOES (2)—Senators Bowen and McClintock.

Failed passage

AB 2803—Reconsideration granted

AYES (9)—Senators Alarcón, Battin, Bowen, Dunn, McClintock, Morrow, Murray, Sher, and Vasconcellos.

NOES (0)—None.

AB 2858—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Alarcón, Bowen, Dunn, Murray, and Vasconcellos.

NOES (2)—Senators McClintock and Morrow.

AB 2869—Do pass as amended

AYES (8)—Senators Alarcón, Battin, Bowen, Dunn, McClintock, Morrow, Murray, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 6/22/04

Bowen (Chair)

Committee on Health and Human Services

AB 379—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (2)—Senators Aanestad and Ashburn.

AB 824—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (2)—Senators Aanestad and Ashburn.

AB 1530—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Aanestad, Alarcón, Ashburn, Escutia, Figueroa, Florez, Kuehl, Romero, and Vincent.

NOES (0)—None.

AB 1794—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2065—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Escutia, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Chesbro.

AB 2086—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 2132—Do pass as amended and re-refer to Committee on Appropriations

AYES (12)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 2297—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Chesbro, Escutia, Ortiz, Romero, and Vincent.

NOES (2)—Senators Aanestad and Battin.

Failed passage

AB 2307—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2504—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2536—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 2747—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2871—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Florez.

AB 2886—Do pass as amended and re-refer to Committee on Revenue and Taxation

AYES (9)—Senators Aanestad, Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Vincent.

NOES (2)—Senators Ashburn and Battin.

AB 2897—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 2943—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (2)—Senators Aanestad and Ashburn.

AB 2973—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (0)—None.

AB 2989—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, and Vincent.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 3027—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (13)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

AB 3029—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Vincent.

NOES (0)—None.

AB 3044—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Vincent.

NOES (1)—Senator Aanestad.

AB 3056—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Ashburn, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Vincent.

NOES (2)—Senators Aanestad and Battin.

ACR 216—Do pass, to Consent Calendar

AYES (13)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, Romero, Vasconcellos, and Vincent.

NOES (0)—None.

Date of Hearing: 6/23/04

Ortiz (Chair)

Committee on Labor and Industrial Relations

AB 1324—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, and Romero.

NOES (2)—Senators McClintock and Oller.

AB 1362—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 1825—Do pass and re-refer to Committee on Rules

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 1867—Do pass

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (1)—Senator Margett.

AB 1885—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 1918—Do pass

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (2)—Senators Margett and McClintock.

AB 1923—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (2)—Senators Margett and McClintock.

AB 2028—Do pass

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 2213—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (2)—Senators Margett and McClintock.

AB 2350—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

AB 2532—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (2)—Senators Margett and McClintock.

AB 2545—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (3)—Senators Margett, McClintock, and Oller.

AB 2684—Do pass

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (2)—Senators Margett and McClintock.

AB 2690—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Romero.

NOES (0)—None.

AB 2704—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (2)—Senators Margett and McClintock.

AB 2832—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (2)—Senators Margett and McClintock.

AB 2837—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (2)—Senators Margett and McClintock.

AB 2866—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, Oller, and Romero.

NOES (0)—None.

AB 2870—Do pass as amended and re-refer to Committee on Judiciary

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Romero.

NOES (0)—None.

AB 3020—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alarcón, Dunn, Figueroa, and Kuehl.

NOES (3)—Senators Margett, McClintock, and Oller.

Failed passage

AB 3020—Reconsideration granted

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Oller.

NOES (0)—None.

AB 3021—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alarcón, Dunn, Figueroa, and Kuehl.

NOES (3)—Senators Margett, McClintock, and Oller.

Failed passage

AB 3021—Reconsideration granted

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Oller.

NOES (0)—None.

AB 3051—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators Alarcón, Dunn, Figueroa, and Kuehl.

NOES (3)—Senators Margett, McClintock, and Oller.

Failed passage

AB 3051—Reconsideration granted

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Oller.

NOES (0)—None.

ACR 213—Be adopted as amended

AYES (4)—Senators Alarcón, Dunn, Figueroa, and Kuehl.

NOES (2)—Senators Margett and Oller.

Failed passage

ACR 213—Reconsideration granted

AYES (7)—Senators Alarcón, Dunn, Figueroa, Kuehl, Margett, McClintock, and Oller.

NOES (0)—None.

Date of Hearing: 6/23/04

Alarcón (Chair)

Committee on Local Government**AB 1827**—Do pass

AYES (5)—Senators Ackerman, Machado, Margett, Soto, and Torlakson.

NOES (1)—Senator Hollingsworth.

AB 2067—Do pass as amended

AYES (5)—Senators Ackerman, Hollingsworth, Margett, Soto, and Torlakson.

NOES (1)—Senator Machado.

AB 2224—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Soto, and Torlakson.

NOES (0)—None.

AB 2473—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Machado, Soto, and Torlakson.

NOES (1)—Senator Margett.

Failed passage

AB 2473—Reconsideration granted

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Soto, and Torlakson.

NOES (0)—None.

AB 2851—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Hollingsworth, Margett, Soto, and Torlakson.

NOES (1)—Senator Machado.

AB 2853—Do pass and re-refer to Committee on Judiciary

AYES (5)—Senators Ackerman, Hollingsworth, Margett, Soto, and Torlakson.

NOES (1)—Senator Machado.

AB 2856—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Hollingsworth, Machado, Margett, Soto, and Torlakson.

NOES (0)—None.

Date of Hearing: 6/23/04

Torlakson (Chair)

Committee on Revenue and Taxation**AB 263**—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Ashburn, Bowen, Burton, Cedillo, Hollingsworth, and Pochigian.

NOES (0)—None.

AB 382—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Burton, Cedillo, and Hollingsworth.

NOES (1)—Senator Ashburn.

AB 1065—Do pass as amended

AYES (1)—Senator Cedillo.

NOES (4)—Senators Ashburn, Bowen, Hollingsworth, and Poochigian.

Failed passage

AB 1065—Reconsideration granted

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 1073—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 1187—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (1)—Senator Poochigian.

AB 1412—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Poochigian.

NOES (2)—Senators Ashburn and Hollingsworth.

AB 1416—Do pass

AYES (5)—Senators Alpert, Ashburn, Cedillo, Hollingsworth, and Poochigian.

NOES (1)—Senator Bowen.

AB 1546—Do pass

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (3)—Senators Ashburn, Hollingsworth, and Poochigian.

AB 2030—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2106—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (3)—Senators Ashburn, Hollingsworth, and Poochigian.

AB 2144—Do pass

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (3)—Senators Ashburn, Hollingsworth, and Poochigian.

AB 2328—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2398—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alpert, Ashburn, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2480—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2722—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alpert, Bowen, and Burton.

NOES (1)—Senator Ashburn.

Failed passage

AB 2722—Reconsideration granted

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2813—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (3)—Senators Ashburn, Hollingsworth, and Poochigian.

AB 2857—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Alpert, Bowen, and Burton.

NOES (0)—None.

Failed passage

AB 2857—Reconsideration granted

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 3071—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 3073—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (6)—Senators Alpert, Ashburn, Bowen, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

Date of Hearing: 6/23/04

Cedillo (Chair)

Committee on Rules

ACR 240—Be adopted as amended, to Consent Calendar

AYES (5)—Senators Brulte, Burton, Johnson, Karnette, and Romero.

NOES (0)—None.

Date of Hearing: 6/23/04

Burton (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Aanestad requested that when the Senate adjourns this day it do so in memory of Spc. Thai Vue of Willows.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of William Keith of Chula Vista.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Spc. Patrick Ryan McCaffrey of Tracy, Patana Helen Norasith and Dr. Dora Ames Lee Wong of Stockton.

Senator McClintock requested that when the Senate adjourns this day it do so in memory of Jill Bauman of Canyon County.

Senator Perata requested that when the Senate adjourns this day it do so in memory of E. Earnestine Doherty of Alameda.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Donald R. Coleman of Stockton, Bob J. Murphy and Ronald B. Williams of Fresno.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Hortense Hunn of San Bernardino and Hannah Rowley of Ontario.

The Chaplain requested that when the Senate adjourns this day it do so in memory of Matthew “Mattie” Stepanek of Upper Marlboro, MD.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators’ requests until 11 a.m., Monday, June 28, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED TWENTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, June 28, 2004

The Senate met at 11 a.m.
Hon. James L Brulte, of the 31st District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—37.

Quorum present.

(NOTE: Senators Dunn and Vincent will be excused this day due to family illnesses.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

JUST TO FLY

Powerful engines behind me
 Wings to lift me aloft
 Speed that carries the sound away
 Above the clouds so soft
 I can see the golden sun above
 The brilliant blue around
 I realize that I'm a visitor here
 And eventually will come down
 Why is it that I feel the need
 To have the control stick in hand
 To climb my way to heavens gate
 And see God's creation grand
 I know the order will come
 That I must totally stand down
 The final [taps] will be [played]
 And my final mission crowned
 I'll kneel before my eternal commander
 Place my gold wings at his feet
 They never really were mine
 Just loaned for moments so fleet
 Prayerfully I will ask him
 A billet for me that day
 That I may fly for him forever
 In heavens eternal sway

(Allen Watkins, adapted)

**PRESENTATION OF COLORS AND
PLEDGE OF ALLEGIANCE TO THE FLAG**

Colors presented by the United States Air Force Color Guard and Senator Johnson led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 24, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

AJR 85

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and referred to the Committee on Rules:

Assembly Joint Resolution 85—Relative to same-sex couples.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, June 24, 2004

Mr. President: The Committee on Rules has examined:

SCA 18 SCR 83

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 24th day of June, 2004, at 4 p.m.

BURTON, Chair

Committee on Insurance

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Insurance, to which was referred:

AB 1927

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SPEIER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1927—An act to amend Section 1373 of, and to add Sections 1373.35 and 1373.45 to, the Health and Safety Code, relating to health care.

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

Date of Hearing, June 23, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which was referred:

AB 2690

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ALARCÓN, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2581

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2581—An act to amend Section 65863.7 of the Government 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.

Committee on Labor and Industrial Relations

Date of Hearing, June 23, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which was referred:

AB 2870

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

ALARCÓN, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2858

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Natural Resources and Wildlife

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which were referred:

AB 113

AB 2280

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 113—An act to amend Sections 5090.24, 5090.35, 5090.50, and 5090.61 of the Public Resources Code, relating to off-highway motor vehicles.

Bill read second time.

Assembly Bill 2280—An act to add Section 13007 to the Fish and Game Code, relating to sport fishing

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2280 pursuant to Joint Rule 58.

ASSEMBLY MEMBER COGDILL

Permission of Rules Committee

Senate Chamber, June 28, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 2280.

BURTON, Chair

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Business and Professions

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 1812

Reports the same back with the recommendation: Do pass as amended.

FIGUEROA, Chair

Above measure ordered to second reading.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 1975

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 Labor and Industrial Relations

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Labor and Industrial Relations, to which was referred:

ACR 213

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 Concurrent Resolution 213—Relative to Filipino farmworkers.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

AB 1885

AB 2832

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ALARCÓN, Chair

Above measures ordered to second reading.

Committee on Health and Human Services

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2632

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 2632—An act to add Section 129875.1 to the Health and Safety Code, relating to health facilities.

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 23, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 2886

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Revenue and Taxation.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2613

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 2613—An act to add Section 1812.117 to the Civil Code, relating to discount buying organizations.

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 22, 2004

Mr. President: The Committee on Judiciary, to which were referred:
AB 2358 AB 2752

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measures ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 2167

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 2351

Reports the same back with the recommendation: Do pass as amended, and be placed on the Consent Calendar.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 1733

Reports the same back with the recommendation: Do pass as amended.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Health and Human Services, to which was referred:

AB 2686

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 2686—An act to add Sections 49571 and 49591 to the Education Code, relating to schools.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Natural Resources and Wildlife

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 454

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 454—An act to add Section 515 to the Public Resources Code, relating to beaches.

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 28, 2004

Mr. President: The Chair of the Committee on Local Government, to which were referred:

AB 502

AB 2473

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 502—An act to add and repeal Section 65962 of the Government Code, relating to local permits.

Bill read second time.

Assembly Bill 2473—An act to amend Section 714 of the Civil Code, to repeal and add Section 65850.5 of the Government Code, and to repeal

and add Section 17959.1 of the Health and Safety Code, relating to solar energy.

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 28, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 1836

AB 2088

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ESCUZIA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1836—An act to amend Sections 1354 and 1357.120 of, to amend and renumber Section 1368.4 of, and to add Article 5 (commencing with Section 1363.810) to Chapter 4 of, and Article 1 (commencing with Section 1368.3) and Article 2 (commencing with Section 1369.510) to Chapter 7 of, Title 6 of Part 4 of Division 2 of, the Civil Code, and to repeal Section 383 of the Code of Civil Procedure, relating to common interest developments.

Bill read second time.

Assembly Bill 2088—An act to amend Section 1954.53 of the Civil Code, relating to residential real property.

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 28, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

ACR 193

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Concurrent Resolution 193—Relative to higher education.

Resolution 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 28, 2004

Mr. President: The Chair of the Committee on Judiciary, to which were referred:

AB 578

AB 2170

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 578—An act to add Article 6 (commencing with Section 27390) to Chapter 6 of Division 2 of Title 3 of the Government Code, relating to county recorders, making an appropriations therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 2170—An act to amend Sections 7500.2, 7503.4, 7507.3, 7507.9, 7507.10, and 7508.2 of, to add Section 7505.2 to, and to repeal and add Section 7500.1 of, the Business and Professions Code, relating to repossession agencies.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 1933

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Date of Hearing, June 21, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 269

Reports the same back with the recommendation: Do pass as amended.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, June 25, 2004

Mr. President: The Committee on Rules has examined:

SB 761

SB 1136

SB 1165

SB 1328

SB 1407

SB 1485

SB 1688

SB 1766

And reports that the same have been correctly enrolled, and presented to the Governor on the 25th day of June, 2004, at 4 p.m.

BURTON, Chair

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 2525

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2525—An act to amend Sections 1240.1, 1240.2, 1625, 42120, 42129, 42131, and 42133.5 of, and to repeal Section 8206.3 of, the Education Code, relating to education.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2525 pursuant to Joint Rule 58.

ASSEMBLY MEMBER GOLDBERG

Permission of Rules Committee

Senate Chamber, June 28, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 2525.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 1155 AB 1895 AB 2228
AB 2317 AB 2719

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Environmental Quality

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2585

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.

SHER, Chair

Above measure ordered to second reading.

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2902

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2902—An act to amend Section 21081 of the Public Resources Code, relating to environmental quality.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2902 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HANCOCK

Permission of Rules Committee

Senate Chamber, June 28, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 2902.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 2404

AB 2867

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measures ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 2521

AB 2873

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measures ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2503

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Labor and Industrial Relations

Date of Hearing, June 23, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which was referred:

AB 1923

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ALARCÓN, Chair

Above measure ordered to second reading.

Committee on Natural Resources and Wildlife

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2911

Reports the same back with the recommendation: Do pass as amended.

KUEHL, Chair

Above measure ordered to second reading.

Committee on Agriculture and Water Resources

Date of Hearing, June 23, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which were referred:

AB 2197

AB 2733

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MACHADO, Chair

Above measures ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Agriculture and Water Resources, to which was referred:

AB 107

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

MACHADO, Chair

Above measure ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 1827—An act to amend Sections 11125.4 and 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

Bill read second time and ordered to third reading.

Assembly Bill 2572—An act to amend Section 521 of, to amend and renumber Sections 110 and 111 of, to add Sections 527, 528, 529, and 529.5 to, and to add the heading of Article 3.5 (commencing with Section 525) to Chapter 8 of Division 1 of, the Water Code, relating to water.

Bill read second time.

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2587—An act to amend Sections 108921 and 108922 of the Health and Safety Code, relating to toxic substances.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1801—An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

Bill read second time and ordered to third reading.

Assembly Concurrent Resolution 216—Relative to senior housing and care quality.

Resolution read second time and ordered to Consent Calendar.

Assembly Bill 426—An act to add Section 9607.5 to the Public Utilities Code, relating to local publicly owned electric utilities.

Bill read second time and ordered to third reading.

Assembly Bill 2845—An act to add Section 56525 to the Education Code, relating to special education.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2196—An act to add Section 49437 to the Education Code, relating to pupil nutrition.

Bill read second time and ordered to third reading.

Assembly Bill 2286—An act to amend Section 44468 of the Education Code, relating to credentials.

Bill read second time and ordered to third reading.

Assembly Bill 2295—An act to add Section 49605 to the Education Code, relating to pupil counseling.

Bill read second time and ordered to third reading.

Assembly Bill 2407—An act to amend Section 37202 of the Education Code, relating to kindergarten.

Bill read second time and ordered to third reading.

Assembly Bill 2868—An act to amend Section 1632 of the Civil Code, and to add Division 24 (commencing with Section 70000) to the Financial Code, relating to loans.

Bill read second time.

The amendments proposed by the Committee on Banking, Commerce and International Trade were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Assembly Bill 1846—An act to add Article 3 (commencing with Section 12330) to Chapter 3 of Part 8 of the Education Code, relating to education.

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 2841—An act to amend Sections 5019, 5020, 35531, 35542, 35555, 35565, 35566, 35570, 35709, 35710, 35710.5, 35722, 35753, 35756, and 35765 of, and to add Sections 35517, 35710.1, 35736.5, and 35784.5 to, the Education Code, and to amend Sections 54901 and 54902 of, and to repeal Section 54903.1 of, the Government Code, relating to school districts.

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 2718—An act to amend Sections 1365, 1365.5, and 1368 of, and to add Sections 1365.2.5 and 1365.3 to, the Civil Code, relating to common interest developments.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

Assembly Bill 2398—An act to amend Section 7097 of, and to add Section 7098 to, the Government Code, relating to economic development.

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 3073—An act to amend Sections 69.4, 214, 214.01, 214.02, 214.5, 214.8, 214.14, and 17076 of, and to add Section 17049 to, of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 1416—An act to amend Sections 7099.1 and 21028 of the Revenue and Taxation Code, and to amend Section 13019 of the Unemployment Insurance Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 1546—An act to add Chapter 2.65 (commencing with Section 65089.11) to Division 1 of Title 7 of the Government Code, and to add Section 9250.5 to the Vehicle Code, relating to local government.

Bill read second time and ordered to third reading.

Assembly Bill 2144—An act to amend Sections 3361, 3362, 3691, 3691.2, 3791, 3791.3, 3792, and 4217 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time and ordered to third reading.

Assembly Bill 667—An act to amend Section 19406 of, and to add Sections 19348, 19605.25, 19605.46, and 19605.79 to, the Business and Professions Code, relating to horse racing and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1356—An act to add Chapter 1.5 (commencing with Section 13995.150) to Part 4.7 of Division 3 of Title 2 of the Government Code, relating to tourism, and declaring the urgency thereof, to take effect immediately.

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 164—An act to amend Sections 44510, 44511, 44513, and 44517 of the Education Code, relating to teachers.

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 2647—An act to add Chapter 19 (commencing with Section 53100) to Part 28 of the Education Code, relating to education funding.

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 1721—An act to amend Section 12024.2 of the Business and Professions Code, relating to prices.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1075—An act to add Section 15202.3 to the Government Code, relating to law enforcement expenses.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2562—An act to amend Section 7583.9 of the Business and Professions Code, relating to private patrol operators.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1867—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time and ordered to third reading.

Assembly Bill 1918—An act to amend Sections 44977, 44983, and 45196 of the Education Code, relating to school employees.

Bill read second time and ordered to third reading.

Assembly Bill 2028—An act to amend Section 1265.1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time and ordered to third reading.

Assembly Bill 2684—An act to amend Section 9601.5 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time and ordered to third reading.

Assembly Bill 911—An act to add Section 148.8 to the Penal Code, relating to public safety services.

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 2502—An act to amend Section 369.5 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 to third reading.

Assembly Bill 2018—An act to add Section 2603.5 to the Family Code, and to add Chapter 2.6 (commencing with Section 1000.10) to Title 6 of Part 2 of the Penal Code, relating to domestic violence.

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 61—An act to add and repeal Section 71093 of the Education Code, relating to the Compton Community College District, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2782—An act to amend Section 54954.5 of, and to add Section 54956.96 to, the Government Code, relating to public agencies.

Bill read second time and ordered to third reading.

Assembly Bill 434—An act to add and repeal Section 53856.2 of the Government Code, relating to temporary borrowing by the City of Richmond, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 425—An act to amend Section 2 of Chapter 317 of the Statutes of 1997, to add Sections 4.5 and 5.5 to Chapter 74 of the Statutes of 1978, and to add Sections 2 and 3 to Chapter 526 of the Statutes of 1919, relating to public trust lands.

Bill read second time and ordered to third reading.

Assembly Bill 224—An act to add Section 1353.7 to the Civil Code, and to amend Section 13132.7 of the Health and Safety Code, relating to roof covering materials.

Bill read second time and ordered to third reading.

Assembly Bill 750—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2491—An act to amend Sections 22971, 22974.7, 22979, 22979.4, and 22980.2 of, and to add Sections 22972.1, 22978.8, and 22983 to, the Business and Professions Code, and to amend Sections 30211 and 30437 of the Revenue and Taxation Code, relating to tobacco products, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Burton.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2026—An act to amend Section 18987.5 of the Welfare and Institutions Code, relating to children, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Perata.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 901

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 901)

Senator Sher asked for, and was granted, unanimous consent to take up AB 901 at this time, without reference to file.

Consideration of Assembly Bill 901

Assembly Bill 901—An act to amend Section 42464 of the Public Resources Code, relating to hazardous and solid waste, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 901—An act to amend Section 42464 of the Public Resources Code, relating to hazardous and solid waste, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Perata.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Johnson, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)
REQUEST FOR UNANIMOUS CONSENT (AB 434)**

Senator Perata asked for, and was granted, unanimous consent to take up AB 434 at this time.

Consideration of Assembly Bill 434

Assembly Bill 434—An act to add and repeal Section 53856.2 of the Government Code, relating to temporary borrowing by the City of Richmond, and declaring the urgency thereof, to take effect immediately.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.

SENATE RULE WAIVED

Without objection Senate Rule 55 was waived in order to allow family and lobbyists on the floor for Senator William J. “Pete” Knight’s memorial services.

**MEMORIAL FOR SENATOR WILLIAM J. "PETE" KNIGHT
MESSAGES FROM THE GOVERNOR**

Governor's Office, State Capitol
June 28, 2004

A PROCLAMATION

BY

THE GOVERNOR OF THE STATE OF CALIFORNIA

Senator William J. "Pete" Knight was an extraordinary man, a decorated Veteran, and a legislative leader whose memory will live on through his lifelong contributions to our nation's military and our state's public affairs.

Senator Knight sustained and enhanced the noble traditions of the United States Air Force, where he earned the rank of Colonel. During his 32-year tenure with the United States Air Force, Senator Knight flew 253 missions over Vietnam. In addition to his fearsome combat service, Senator Knight established the still unbroken world speed record in a fixedwing aircraft, flying the X-15 rocket research aircraft to 4,250 miles per hour.

Senator Knight faithfully served the people of California as a City Councilman, Mayor, Assemblyman, and Senator. As a member of the Senate Rules, Education, and Revenue and Taxation Committees, he represented his constituents with diligence and dedication. As Vice-Chair of the Senate Veterans Affairs Committee, he advocated tirelessly on behalf of his fellow veterans, shaping legislation to fund California's Veterans Homes.

California's great veterans have fought for our nation in World War II, the Korean War, the Vietnam War, and other wars around the globe. California's Veterans Homes provide our disabled and aging veterans with rehabilitative, residential, and medical care services. The Veterans Home at Lancaster is one of five new Homes being built in California and a testament to Senator Knight's unending devotion to his fellow veterans.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER Governor of the State of California, do hereby dedicate and name the California Veterans Home to be constructed at Lancaster as the William J. "Pete" Knight Veterans Home.

IN WITNESS WHEREOF I have here unto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of June 2004.

ARNOLD SCHWARZENEGGER
Governor of California

[SEAL]

Attest:
KEVIN SHELLEY
Secretary of State

A Memorial Resolution
*Relative to Memorializing
The Honorable William J. "Pete" Knight*

WHEREAS, On May 7, 2004, California lost one of its most dynamic and renowned public leaders, California State Senator William I. "Pete" Knight, an individual whose indomitable spirit, forthright and honest demeanor, and fine personal example were an inspiration to the people throughout the State of California and the nation; and

WHEREAS, Born in Noblesville, Indiana, on November 18, 1929, Senator Knight is best known for his record-setting X-15 flight on October 3, 1967 at Mach 6.7 (4,520 mph); and

WHEREAS, He was more recently recognized as the author and defender of Proposition 22, which defined marriage in California as being between one man and one woman, that passed in March 2000 by 61.4 percent of California voters; and

WHEREAS, He was also well known throughout the Capitol and his High Desert district as a champion for veterans and a leading voice in safeguarding California's military bases and in 2002, ground was broken in the Antelope Valley on a new high school named after him; and

WHEREAS, Senator Knight was a true national hero having served his nation, community, and state, as an Astronaut, Record-Holding Test Pilot, United States Air Force Colonel, Vietnam Veteran, City Councilman, and State Legislator; and

WHEREAS, Senator Knight was a world-renowned aeronautical pioneer who retired from the United States Air Force as Vice Commander of Edwards AFB in 1982; Colonel Knight accumulated over 7,000 flying hours in more than 100 types of aircraft during his 32-year career, and in addition to setting a world speed record for fixed-wing aircraft that still stands today, he also soared more than 50 miles above the Earth's surface, earning Astronaut wings; and

WHEREAS, Senator Knight had a lengthy and distinguished military career, and he was awarded the Distinguished Flying Cross and the Legion of Merit, both with two Oak Leaf Clusters, and the Air Medal with 10 Oak Leaf Clusters for his 253 combat missions over Vietnam; and

WHEREAS, Pete Knight's political career included eight years as a Palmdale Councilman and the city's first popularly elected Mayor, followed by four years in the California State Assembly and culminating in his election to the California State Senate in 1996; and

WHEREAS, A feisty, funny, soft-spoken but politically fearless conservative who called himself pro-family, pro-jobs, and anti-tax, Pete Knight was an extraordinary man who lived his life as a reflection of his strong values; and

WHEREAS, He leaves to mourn his passing and celebrate his legacy his wife, Gail; his children, William P. Knight (Catherine), David Knight, Stephen Knight (Lilian), his step-children, Timothy Lynch (Debbie), Patrick Lynch (Leresa), Kelli Cieply (Kevin), and Michael Lynch (Krisainie); his brother, Robert Knight; his grandchildren, William,

Madison, Allee, Christopher, Michael, Jeffrey, Jaclyn, Sean, Sara, Kristina, Tiffany, Kyle, Ryan, Kevin, and Erin; and Senator Knight was preceded in death by his first wife, Helena Stone; now, therefore, be it

RESOLVED BY SENATOR DICK ACKERMAN AND PRESIDENT PRO TEMPORE OF THE SENATE JOHN L. BURTON, That the Members express their deepest sympathy to the family and friends of California State Senator William J. "Pete" Knight, an outstanding contributor to society whose life bore eloquent testimony to a brilliant career of public and private service exemplified by the finest moral and civic leadership.

**CONSIDERATION OF DAILY FILE (RESUMED)
FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 434)**

On the motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause was adopted by the following vote:

AYES (28)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (4)—Senators Ashburn, Battin, Brulte, and McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Oller, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (4)—Senators Ashburn, Battin, Brulte, and McClintock.

Bill ordered transmitted to the Assembly.

CONSENT CALENDAR

Objection Raised

Senator Hollingsworth objected to **AB 2376** being on the Special Consent Calendar.

The President ordered the above measure placed on the third reading file.

Assembly Bill 1780—An act to amend and renumber Sections 19805 and 19835.6 of the Business and Professions Code, relating to gaming.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3085—An act to amend Sections 23009 and 23356 of, to add Section 23021.5 to, and to repeal Section 23323 of, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 800—An act to amend Sections 30301 , 30301.2, 30301.5, 30310, 30512, and 30514.1 of, and to repeal Section 30512.1 of, the Public Resources Code, relating to the California Coastal Commission.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Assembly Bill 2913—An act to amend Section 44253.10 of the Education Code, relating to teaching credentials.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1249—An act to amend Section 1560 of the Evidence Code and Section 1326 of the Penal Code, relating to subpoenas.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1939—An act to add Section 429.6 to the Government Code, relating to veterans.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2269—An act to amend Section 972.1 of the Military and Veterans Code, relating to veterans.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1990—An act to amend Section 16461 of the Probate Code, relating to trusts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Sher moved that **AB 2814**, **AB 2932**, and **AB 2466** be placed on the inactive file.

Senator Scott moved that **AB 2129** be placed on the inactive file.

Motions carried.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing **AB 1353**, **AB 2277**, **AB 2396**, **AB 2883**, **AB 3090**, **AB 2834**, and **AB 1942** to be heard on July 1 in the Committee on Environmental Quality without 4 days notice in the Daily File.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing **AB 1554** to be heard in the Committee on Education without 4 days notice in the Daily File.

REQUEST TO BE ADDED TO ROLL CALL

June 28, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 2026—Aye

AB 434—Aye

JOHN L. BURTON, President pro Tempore

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Dunn and Vincent.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 12:15 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, June 29, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, June 28, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 1884

Above measure ordered enrolled.

Assembly Chamber, June 28, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 1278 SB 1362

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, June 28, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 430 AB 901 AB 1802 AB 1848
AB 1907 AB 1929 AB 2171 AB 2491

Assembly Chamber, June 28, 2004

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 2199 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measure ordered held at Desk.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Date of Hearing, June 23, 2004

Mr. President: The Committee on Revenue and Taxation, to which were referred:

AB 382 AB 1412 AB 2106 AB 2328

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CEDILLO, Chair

Above measures ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2591

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Public Safety.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Rules

Date of Hearing, June 23, 2004

Mr. President: The Committee on Rules, to which was referred:
ACR 240

Reports the same back with the recommendation: Be adopted as amended and be placed on the Consent Calendar.

BURTON, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2611

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 2611—An act to amend Section 368 of the Penal Code, and to amend Sections 15656 and 15657 of, and to add Section 15657.5 to, the Welfare and Institutions Code, relating to elder and dependent adult abuse.

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 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 1910

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 1711

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.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, June 15, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 2644

Reports the same back with the recommendation: Do pass as amended.
MURRAY, Chair

Above measure ordered to second reading.

Committee on Natural Resources and Wildlife

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2047

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2529

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measure ordered to second reading.

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 2994

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 2994—An act to add Section 12405 to the Public Contract Code, relating to public contracts.

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 28, 2004

Mr. President: The Committee on Rules has examined:

SB 382	SB 1156	SB 1157
SB 1288	SB 1591	SB 1872

And reports that the same have been correctly enrolled, and presented to the Governor on the 28th day of June, 2004, at 2 p.m.

BURTON, Chair

Committee on Business and Professions

Date of Hearing, June 28, 2004

Mr. President: The Committee on Business and Professions, to which was referred:

AB 2390

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

FIGUEROA, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Business and Professions, to which were referred:

AB 2008 AB 2655

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 measures ordered to second reading.

Committee on Public Safety

Date of Hearing, June 15, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2136

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, June 23, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 2086 AB 3029

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 2307

AB 2504

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.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 746

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 746—An act to amend Section 56.05 of the Civil Code, relating to medical information.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 746 pursuant to Joint Rule 58.

ASSEMBLY MEMBER MATTHEWS

Permission of Rules Committee

Senate Chamber, June 28, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 746.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2840

Reports the same back with the recommendation: Do pass as amended.
ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 2669

Reports the same back with the recommendation: Do pass as amended.
ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Public Employment and Retirement

Date of Hearing, June 28, 2004

Mr. President: The Committee on Public Employment and Retirement,
to which were referred:

AB 476 AB 1281

Reports the same back with the recommendation: Do pass, but first be
re-referred to the Committee on Rules.

SOTO, Chair

Above measures re-referred to the Committee on Rules.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Public Employment and Retirement,
to which was referred:

AB 2982

Reports the same back with the recommendation: Do pass as amended, but
first amend, and re-refer to the Committee on Rules.

SOTO, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which were referred:

AB 1465 AB 3001
AB 2706

Reports the same back with the recommendation: Do pass as amended, but
first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which was referred:
AB 1790

Reports the same back with the recommendation: Do pass as amended.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which were referred:

AB 2339

AB 2724

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Committee on Judiciary

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2761

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 2761—An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

UNANIMOUS CONSENT TO READ BILLS A SECOND TIME

Without objection, AB 2591 and AB 2858 were given their second reading upon being reported by committee.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 2591—An act to amend Sections 5371.4, 5411.5, 5412.2, and 5413.5 of, and to add Section 5381.5 to, the Public Utilities Code, relating to charter-party carriers.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Public Safety.

Assembly Bill 2858—An act to amend Section 5374 of, and to add Section 5384.7 to, the Public Utilities Code, relating to charter-party carriers of passengers.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 687** was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Rules;

AB 2417 was withdrawn from the Committee on Public Safety and re-referred to the Committee on Rules;

AB 2853 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations;

AB 1927 was withdrawn from the Committee on Insurance and re-referred to the Committee on Health and Human Services;

AB 2858 was withdrawn from the Committee on Rules and re-referred to the Committee on Public Safety;

AB 2170 and **AB 2755** were withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations; and

AB 1825 was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 1960** and **AB 2807** were withdrawn from committee and placed on the second reading file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 3063—An act to amend Section 66801 of the Education Code, relating to community college attendance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 3063 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2538—An act to amend Sections 19406 and 19596.1 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 2538 proposed by Senator Vincent were read and adopted and the measure ordered printed and to second reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **AB 2100, AB 2101, AB 2103, AB 2104, AB 2105, AB 2110, AB 2111, AB 2112, AB 2113, AB 2114, AB 2115, AB 2116, AB 2117, AB 2118, AB 2119, AB 2120, AB 2121, AB 2122, and AB 2123** (Budget Trailer Bills) were withdrawn from committee and placed on the second reading file.

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

Annual report relating to the FY 2001–02 and 2002–03 Competitive Cal Grant Program was received from the Student Aid Commission and transmitted to the Committee on Education.

Annual report relating to the FY 02–03 Assumption Program of Loans for Education was received from the Student Aid Commission and transmitted to the Committee on Education.

Annual report relating to the FY 02–03 Graduate Assumption Program of Loans for Education was received from the Student Aid Commission and transmitted to the Committee on Education.

A report, relating to the March 2004 Child Development Teacher and Supervisor Grant Program was received from the Student Aid Commission and transmitted to the Committee on Education.

Annual report relating to the Practice Enforcement Report for Years 2002 and 2003 was received from Department of Forestry and Fire Protection and transmitted to the Committee on Natural Resources and Wildlife.

Annual report dated: May 26, 2004, relating to Participation of Business Enterprises, by Ethnicity, Race and Gender was received from Department of Developmental Services and transmitted to the Committee on Governmental Organization.

A report dated: June 2, 2004, relating to Race, Ethnicity, and Gender in Contracts issued by the Department of Corrections was received from the Department of Corrections and transmitted to the Committee Governmental Organization.

A report dated: June 3, 2004, relating to Second Striker Program Evaluations (delayed) was received from the Department of Corrections and transmitted to the Committee on Budget and Fiscal Review.

A biennial report dated: June 4, 2004, relating to Renewable Energy Program was received from the Energy Commission and transmitted to the Committee on Energy, Utilities and Communications.

A report dated: June 4, 2004, relating to Crane Safety Program Revenues and Expenditures was received from the Labor and Workforce Development Agency and transmitted to the Committee on Labor and Industrial Relations.

A report dated: June 4, 2004, relating to Hazard Evaluation System & Information Services (HESIS) was received from the Labor and Workforce Development Agency and transmitted to the Committee on Labor and Industrial Relations.

A report dated: June 4, 2004, relating to Bureau of Field Enforcement was received from the Labor and Workforce Development Agency and transmitted to the Committee on Labor and Industrial Relations.

A report dated: June 4, 2004, relating to Unlawfully Uninsured Employer Enforcement Program was received from the Labor and Workforce Development Agency and transmitted to the Committee on Labor and Industrial Relations.

A report dated: June 9, 2004, relating to FY 2003–04 Department of Insurance Seismic Safety Commission Assessment was received from the Insurance Commissioner and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: June 9, 2004, relating to Water Replenishment District of Southern California was received from the California State Auditor and transmitted to the Committee on Rules.

Annual report dated: June 9, 2004, relating to the Statewide Habitat Conservation Plan was received from the Department of Corrections and transmitted to the Committee on Budget and Fiscal Review.

A report dated: June 14, 2004, relating to the Implementation of the California Forest Legacy Program Act was received from the Department of Forestry and Fire Protection and transmitted to the Committee on Natural Resources and Wildlife.

A report dated: June 15, 2004, relating to California Public Utilities Commission's Energy Efficiency and Conservation Programs was received from the Public Utilities Commission and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: June 16, 2004, relating to the Fiscal Crisis and Management Assistance Team was received from the California State Auditor and transmitted to the Committee on Rules.

Annual report dated: June 17, 2004, relating to the Fine Particulate Matter Program was received from Air Resources Board and transmitted to the Committee on Environmental Quality.

A report dated: June 21, 2004, relating to Disabled Veterans Business Enterprise was received from the Department of Water Resources and transmitted to the Committee on Governmental Organization.

Annual report dated: June 22, 2004, relating to the Department of Consumer Affairs FY 2002–03 was received from the Department of Consumer Affairs and transmitted to the Committee on Business and Professions.

An audit report dated: June 24, 2004, relating to Independent Water Districts was received from the California State Auditor and transmitted to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Business and Professions

AB 2138—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Aanestad and Brulte.

NOES (0)—None.

Failed passage

AB 2390—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Aanestad, Brulte, Cedillo, Figueroa, and Machado.

NOES (0)—None.

Date of Hearing: 6/28/04

Figueroa (Chair)

Committee on Public Employment and Retirement

AB 476—Do pass and re-refer to Committee on Rules

AYES (3)—Senators Ashburn, Karnette, and Soto.

NOES (1)—Senator Oller.

AB 1281—Do pass and re-refer to Committee on Rules

AYES (3)—Senators Escutia, Karnette, and Soto.

NOES (2)—Senators Ashburn and Oller.

AB 2982—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Ashburn, Escutia, Karnette, Oller, and Soto.

NOES (0)—None.

Date of Hearing: 6/28/04

Soto (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

On behalf of the Senate, Senator Burton requested that when the Senate adjourns this day it do so in memory of Senator William J. “Pete” Knight.

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Sean Horn of Irvine.

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Vernon L. Tucker of Manhattan Beach.

Senators Bowen and Chesbro requested that when the Senate adjourns this day it do so in memory of Jason Lane of Healdsburg.

Senator Oller requested that when the Senate adjourns this day it do so in memory of Cpt. Wayne H. Anacker of Milwaukee, WI.

Senator Perata requested that when the Senate adjourns this day it do so in memory of Jerry W. Barnes of Oakland.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, June 29, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, June 29, 2004

The Senate met at 9 a.m.
Hon. Jack Scott, of the 21st District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian,
Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—36.

Quorum present.

(NOTE: Senators Dunn and Vincent will be excused this day due to family illnesses and Senator Morrow will be excused this day due to illness.)

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, June 29, 2004

The Committee on Rules has re-referred the following measure to committee:

Health and Human Services—AB 2389.

Senate Chamber, June 29, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 687

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 687—An act to amend Section 25501 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 687 pursuant to Joint Rule 58.

ASSEMBLY MEMBER CAMPBELL

Permission of Rules Committee

Senate Chamber, June 29, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 687.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 858	AB 1810	AB 1881	AB 1925
AB 2072	AB 2469	AB 2946	ACR 116

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Appropriations, to which were referred:

AB 1466	AB 1799	AB 2234	AB 2854
AB 1663	AB 2160	AB 2687	AB 3040
AB 1728	AB 2207	AB 2711	

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Committee on Local Government

Date of Hearing, June 23, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 2067

Reports the same back with the recommendation: Do pass as amended.
TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which was referred:

AB 1032

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

VINCENT, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Appropriations

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SJR 30	AB 2031	AB 2408	AB 3024
AB 279	AB 2074	AB 2409	AB 3032
AB 868	AB 2145	AB 2465	AB 3033
AB 890	AB 2150	AB 2478	AB 3041
AB 979	AB 2151	AB 2528	AB 3043
AB 1175	AB 2156	AB 2552	AB 3045
AB 1726	AB 2161	AB 2560	AB 3077
AB 1787	AB 2173	AB 2593	AB 3092
AB 1814	AB 2184	AB 2615	AB 3101
AB 1822	AB 2193	AB 2626	AB 3102
AB 1855	AB 2226	AB 2660	ACR 133
AB 1857	AB 2257	AB 2693	ACR 142
AB 1859	AB 2281	AB 2716	ACR 145
AB 1894	AB 2296	AB 2820	ACR 151
AB 1898	AB 2304	AB 2842	ACR 156
AB 1930	AB 2314	AB 2850	ACR 162
AB 1951	AB 2355	AB 2917	ACR 163
AB 1986	AB 2373	AB 2920	ACR 179
AB 2004	AB 2384	AB 2927	ACR 180
AB 2014	AB 2388	AB 2956	ACR 185
AB 2027	AB 2395	AB 3023	AJR 74

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Committee on Environmental Quality

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2251

Reports the same back with the recommendation: Do pass as amended and be placed on the Consent Calendar.

SHER, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, June 28, 2004

Mr. President: The Committee on Rules has examined:

SCR 81

SJR 20

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 28th day of June, 2004, at 4:30 p.m.

BURTON, Chair

Committee on Environmental Quality

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 3034

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.

SHER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 1906

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SHER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2366

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Transportation.

SHER, Chair

Above measure re-referred to the Committee on Transportation.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AJR 72

Reports the same back with the recommendation: Be adopted.

SHER, Chair

Above resolution ordered to third reading.

Committee on Appropriations

Senate Chamber, June 29, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1432	AB 1643	AB 2565
AB 2586	AB 2855	AB 3076

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1432—An act to amend Sections 656 and 793 of, and to add Sections 656.5 and 793.5 to, the Penal Code, relating to former jeopardy.

Bill read second time.

Assembly Bill 1643—An act to add Section 2750.7 to the Labor Code, relating to employment.

Bill read second time.

Assembly Bill 2565—An act to add and repeal Chapter 4.5 (commencing with Section 13998) of Part 4.7 of Division 3 of Title 2 of the Government Code, and to repeal Part 14 (commencing with Section 37980) of Division 24 of the Health and Safety Code, relating to economic development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 2586—An act to add Section 4019.1 to the Penal Code, relating to prisoners.

Bill read second time.

Assembly Bill 2855—An act to amend Sections 32282, 35295, 35296, 42140, 48900.1, 48910, and 51230 of, and to repeal Sections 38132, 48211, and 48214 of the Education Code, to amend Sections 6550 and 6552 of the

Family Code, to amend Section 17556 of the Government Code, and to amend Sections 124100 and 124105 of the Health and Safety Code, relating to education.

Bill read second time.

Assembly Bill 3076—An act to amend Sections 22502, 22504, 22601.5, 22604, 26400, and 26401 of the Education Code, relating to state teachers' retirement.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2685

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2758

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2209

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Housing and Community Development

Date of Hearing, June 21, 2004

Mr. President: The Committee on Housing and Community Development, to which was referred:

AB 2400

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

DUCHENY, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which were referred:

AB 1126 AB 2035 AB 2567 AB 2950

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which was referred:

AB 42

Reports the same back with the recommendation: Do pass as amended.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, June 23, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 1530 AB 2065 AB 2132

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Public Safety

Date of Hearing, June 22, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 488

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 1232

Reports the same back with the recommendation: Do pass.

McPHERSON, Chair

Above bill ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AB 2019

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

McPHERSON, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AB 2190

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Governmental Organization.

McPHERSON, Chair

Above measure re-referred to the Committee on Governmental Organization.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Public Safety, to which was referred:
AB 2474

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

McPHERSON, Chair

Above measure re-referred to the Committee on Judiciary.

Committee on Appropriations

Senate Chamber, June 29, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2089

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

ALPERT, Chair

Above measure ordered filed with the Secretary of the Senate.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 3008

Reports the same back with the recommendation: Do pass as amended.
ALPERT, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which was referred:
AB 2860

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.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which was referred:
AB 2446 AB 2678

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which was referred:
AB 2751

Reports the same back with the recommendation: Do pass as amended.
VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which was referred:
AB 1636

Reports the same back with the recommendation: Do pass as amended.
VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, June 29, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AJR 86

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments**Assembly Joint Resolution 86**—Relative to space exploration.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 89: By Senator Soto—Relative to the CHP Officer Thomas J. Steiner Memorial Highway.

Senate Concurrent Resolution 90: By Senators Battin, Margett, and Soto (Coauthors: Assembly Members Benoit, Bogh, Garcia, and Parra)—Relative to the Pearl Harbor Memorial Highway.

Senate Concurrent Resolution 91: By Senator Figueroa—Relative to renaming the San Lorenzo River Redwoods.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 2690—An act to repeal and add Section 1720.4 to the Labor Code, relating to public works.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2690 pursuant to Joint Rule 58.

ASSEMBLY MEMBER HANCOCK

Permission of Rules Committee

Senate Chamber, June 29, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 2690.

BURTON, Chair

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 2870—An act to amend Sections 12903, 12928, 12935, 12942, 12945, 12955, 12963.3, 12970, 12972, 12973, 12987, 12987.1, and 12989.2 of the Government 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 Judiciary.

Assembly Bill 1812—An act to amend Section 12517.2 of the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1975—An act to amend Section 2232 of the Business and Professions Code, relating to medicine.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1885—An act to add Article 7 (commencing with Section 9913) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance 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 2832—An act to add Section 1182.12 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 2886—An act to add and repeal Article 14.5 (commencing with Section 18856) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Revenue and Taxation.

Assembly Bill 2358—An act to amend Sections 5204 , 5220, 5237, 17306, 17500, 17502, and 17506 of, and to add Section 17309.5 to, the Family Code, to add Section 24351.5 to the Government Code, and to amend and repeal Sections 19271, 19271.6, 19272, 19273, and 19275 of, and to add and repeal Section 19270 of, the Revenue and Taxation Code, relating to child support.

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 2752—An act to add Section 301.2 to the Corporations Code, relating to corporations.

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 2167—An act to amend Section 25506 of, and to add Section 25501.5 to, the Corporations Code, relating to securities.

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 2351—An act to amend Sections 798.16, 798.26, 798.285, 798.37, and 799.1.5 of, and to add Section 799.2.5 to, the Civil Code, relating to mobilehome parks.

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 1733—An act to amend Section 2891.1 of the Public Utilities Code, relating to telecommunications.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1933—An act to amend Sections 6252 and 6254 of 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 to third reading.

Assembly Bill 269—An act to add and repeal Section 33334.30 of the Health and Safety Code, relating to redevelopment.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1155—An act to amend Section 2850 of, and to add Section 2344 to, the Probate Code, relating to conservators and guardians.

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 1895—An act to amend Sections 317, 366.26, and 634 of the Welfare and Institutions Code, relating to immigrant 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 2228—An act to amend Section 3111 of the Family Code, to add Section 1514.5 to the Probate Code, and to amend Section 827 of, and to add Section 204 to, the Welfare and Institutions Code, relating to minors.

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 2317—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

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 2719—An act to add Section 12237 to the Government Code, relating to State Archives.

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 2585—An act to add Section 40608 to the Health and Safety Code, relating to air pollution.

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 2404—An act to add Section 53080 to the Government Code, relating to discrimination.

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 2867—An act to amend Section 1940.1 of the Civil Code, relating to tenancy.

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 2521—An act to add Section 27522 to the Government Code, relating to autopsy reports.

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 2873—An act to add Article 6 (commencing with Section 18973) to Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code, relating to child abuse prevention.

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 2503—An act to add Section 1936.1 to the Civil Code, relating to rental vehicles.

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 1923—An act to add Section 6401.8 to the Labor Code, relating to occupational safety and health.

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 2911—An act to repeal and add Section 701.5 of the Public Resources Code, relating to the Department of Forestry and Fire Protection.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2197—An act to add and repeal Section 6103 of the Water Code, relating to water.

Bill read second time.

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2733—An act to add Section 5009 to the Water Code, relating to water.

Bill read second time.

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 107—An act to add Section 2.5 to the American River Flood Control District Act (Chapter 808 of the Statutes of 1927), relating to water.

Bill read second time.

The amendments proposed by the Committee on Agriculture and Water Resources were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 2100—An act to add Sections 4512.5, 4519.8, and 4631.2 to the Welfare and Institutions Code, relating to developmental services, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2101—An act to add and repeal Section 12803.9 of the Government Code, relating to health and human services.

Bill read second time and ordered to third reading.

Assembly Bill 2103—An act to add and repeal Section 5012 of the Penal Code, relating to the Department of Corrections.

Bill read second time and ordered to third reading.

Assembly Bill 2104—An act to add Section 6052 to the Penal Code, relating to wardens, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2105—An act relating to the Department of Corrections, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2110—An act to amend Section 12101.5 of the Public Contract Code, relating to state contracts.

Bill read second time and ordered to third reading.

Assembly Bill 2111—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2112—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2113—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2114—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2115—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2116—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2117—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2118—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2119—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2120—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2121—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2122—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 2123—An act relating to the Budget Act of 2004. Bill read second time and ordered to third reading.

Assembly Bill 382—An act to amend Section 17133 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 1412—An act to amend Section 15626 of the Government Code, relating to conflict of interest.

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 2106—An act to add Article 7.5 (commencing with Section 9147.1) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to repeal Section 13305 of, the Government Code, relating to state government.

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 2328—An act to amend Sections 23809 and 24654 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Concurrent Resolution 240—Relative to Joint Legislative Committee on Emergency Services and Homeland Security.

Resolution read second time.

The amendments proposed by the Committee on Rules were read and adopted and the measure ordered printed and to Consent Calendar.

Assembly Bill 1910—An act to amend Sections 7611, 7630, and 7650 of the Family Code, to add Chapter 4.4 (commencing with Section 1644.7) to Division 2 of the Health and Safety Code, to amend Sections 10172 and 10172.5 of the Insurance Code, and to amend Section 6453 of, and to add Sections 249.5, 249.6, 249.7, and 249.8 to, the Probate Code, relating to probate.

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 1711—An act to amend Sections 6028 , 6140.7, and 17536.5 of the Business and Professions Code, relating to legal proceedings.

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 2644—An act to amend Section 42407 of, and to add Chapter 3.2 (commencing with Section 39630) to Part 2 of, Division 26 of the Health and Safety Code, relating to air pollution.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2047—An act to add Sections 4121, 4121.5, and 4122 to the Public Resources Code, relating to fire prevention.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1960—An act to add Division 113 (commencing with Section 15000) to the Health and Safety Code, relating to pharmacy benefits management.

Bill read second time and ordered to third reading.

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of the Welfare and Institutions Code, relating to children.

Bill read second time and ordered to third reading.

Assembly Bill 2008—An act to amend Sections 2854, 2883, and 4504 of the Business and Professions Code, relating to healing arts.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2655—An act to amend Section 12500.8 of the Business and Professions Code, relating to weights and measures.

Bill read second time.

The amendments proposed by the Committee on Business and Professions were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2136—An act to amend Section 11880 of, and to add Sections 11876.5, 11876.6, and 11880.5 to, the Health and Safety Code, relating to controlled substances.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 3063—An act to amend Section 66801 of the Education Code, relating to community college attendance, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2538—An act to amend Section 19406 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2086—An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 3029—An act to add Section 14045 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2307—An act to add Article 2.6 (commencing with Section 1222) to Chapter 1 of Division 2 of the Health and Safety Code, relating to health care providers.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2504—An act to amend Section 104650 of, and to add Section 104651 to, the Health and Safety Code, relating to nutrition.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2529—An act to amend Section 30906 of, and to add Chapter 3.5 (commencing with Section 30920) to Division 20.4 of, the Public Resources Code, relating to water.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2840—An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

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 2669—An act to amend, repeal, and add Section 695.221 of the Code of Civil Procedure, and to amend Sections 4009, 4504, and 17402 of the Family Code, relating to child support.

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 2982—An act to amend Section 31725.6 of, and to add Section 31725.65 to, the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Public Employment and Retirement were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 1465—An act to amend Sections 17070.15, 17072.10, 17072.30, and 17072.32 of, and to add Sections 17070.99 and 17074.32 to, the Education Code, relating to school facilities.

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 2706—An act to amend Sections 51870, 51871.5, 52295.20, 52295.25, 52295.30, and 52295.35 of, and to repeal Sections 51871.3 and 51871.4 of, to add Section 52292.36 to, the Education Code, relating to education technology.

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 3001—An act to add Section 17318 to the Education Code, relating to school facilities.

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 1790—An act to add Article 13 (commencing with Section 17079) to Chapter 12.5 of Part 10 of the Education Code, relating to school facilities.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2339—An act to amend Section 66602 of the Education Code, relating to the California State University.

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 2724—An act to amend Sections 69980, 69982, 69983, 69986, 69990, and 94110 of the Education Code, relating to postsecondary education, and making an appropriation therefor.

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.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures were set as a Special Consent Calendar to be taken up on Thursday, July 1:

SB 1558	AB 2196	AB 2502	AB 3063
SB 1823	AB 2286	AB 2167	AB 2538
SB 1278	AB 2407	AB 2911	AB 2669
SB 1362	AB 1356	AB 1910	
AB 1801	AB 2562	AB 2807	

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 1554, AB 1896 and AB 2690 to be heard in the Committee on Appropriations on Thursday, July 1 without 2 days notice in the Daily File.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 2042 and AB 2290 to be heard in the Committee on Environmental Quality on July 1 upon adjournment of session without 4 days notice in the Daily File.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing SB 1677 and AB 2868 to be heard in the Committee on Judiciary without 4 days notice in the Daily File.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Governmental Organization to have a subject matter hearing on AB 687 without the 4 days notice in the Daily File.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 476, AB 1281, AB 1987** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **AB 687** was withdrawn from Committee and placed on second reading.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

Assembly Bill 2557—An act to amend Sections 1633 and 1749.1 of, and to add Section 1729.2 to, the Insurance Code, relating to insurance licensing.

Bill read third time.

Amendments Adopted

Amendments to AB 2557 proposed by Senator Scott were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 323)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 323 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 323

Assembly Bill 323—An act to add Article 7 (commencing with Section 999.50) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans.

Bill read.

Motion to Amend

Amendments to AB 323 proposed by Senator Morrow were read and adopted and the measure ordered printed and to second reading.

**SENATE COMMITTEE ROLL CALLS
Committee on Appropriations**

AB 1466—Do pass

AYES (8)—Senators Aanestad, Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Poochigian.

AB 1663—Do pass

AYES (8)—Senators Alpert, Battin, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

AB 1728—Do pass

AYES (8)—Senators Aanestad, Alpert, Battin, Bowen, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

AB 1799—Do pass

AYES (7)—Senators Aanestad, Battin, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 1928—Do pass

AYES (5)—Senators Aanestad, Battin, Burton, Machado, and Poochigian.

NOES (0)—None.

Failed passage

AB 1928—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2089—Do pass as amended

AYES (6)—Senators Alpert, Bowen, Escutia, Karnette, Machado, and Speier.

NOES (3)—Senators Aanestad, Battin, and Poochigian.

Failed passage

AB 2160—Do pass

AYES (8)—Senators Aanestad, Alpert, Battin, Bowen, Escutia, Karnette, Machado, and Speier.

NOES (0)—None.

AB 2207—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2234—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2687—Do pass

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Aanestad, Battin, and Poochigian.

AB 2711—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2854—Do pass

AYES (8)—Senators Aanestad, Alpert, Battin, Bowen, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

AB 3008—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

AB 3040—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, and Murray.

NOES (2)—Senators Aanestad and Battin.

Date of Hearing: 6/28/04

Alpert (Chair)

Committee on Education

AB 164—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 598—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 780—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 816—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 825—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 921—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 1010—Do pass as amended

AYES (7)—Senators Alarcón, Alpert, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 1126—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 1465—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 1650—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, and Vasconcellos.

NOES (0)—None.

AB 1790—Do pass as amended

AYES (7)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 1858—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 1987—Do pass and re-refer to Committee on Rules

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 1988—Do pass and re-refer to Committee on Health and Human Services

AYES (7)—Senators Alarcón, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 1997—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2035—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2066—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2080—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2152—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2343—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 2413—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2435—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2455—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 2462—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 2559—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 2567—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2596—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2647—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2686—Do pass and re-refer to Committee on Health and Human Services

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2706—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Denham, McPherson, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2744—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Chesbro, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 2751—Do pass as amended

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2909—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2923—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2950—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 3001—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (1)—Senator McPherson.

AB 3015—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Chesbro, Denham, McPherson, Speier, and Vasconcellos.

NOES (0)—None.

AB 3017—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 6/24/04

Vasconcellos (Chair)

Committee on Environmental Quality

AB 338—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (1)—Senator Morrow.

AB 1408—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (0)—None.

AB 1906—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 1934—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 1971—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2159—Do pass as amended and re-refer to Committee on Judiciary

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2366—Do pass and re-refer to Committee on Transportation

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators McPherson and Morrow.

AB 2439—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2485—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (1)—Senator Morrow.

AB 2633—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2657—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator McPherson.

AB 2701—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2884—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2901—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator McPherson.

AB 2953—Do pass as amended

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2955—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 3034—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AJR 72—Be adopted

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (0)—None.

Date of Hearing: 6/28/04

Sher (Chair)

Committee on Governmental Organization

AB 6—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Battin, Cedillo, Chesbro, Johnson, Karnette, Margett, and Soto.

NOES (0)—None.

Date of Hearing: 6/29/04

Vincent (Chair)

Committee on Natural Resources and Wildlife

AB 113—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Denham, Hollingsworth, Kuehl, Oller, and Torlakson.

NOES (1)—Senator Ortiz.

AB 496—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Kuehl, Sher, and Torlakson.

NOES (5)—Senators Bowen, Denham, Hollingsworth, Oller, and Ortiz.

Failed passage

AB 496—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 1185—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 1583—Committee amendments

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 1583—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2063—Do pass, to Consent Calendar

AYES (8)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Sher, and Torlakson.

NOES (0)—None.

AB 2064—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2186—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (8)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Sher, and Torlakson.

NOES (0)—None.

AB 2280—Do pass and re-refer to Committee on Appropriations

AYES (3)—Senators Denham, Hollingsworth, and Oller.

NOES (4)—Senators Bowen, Kuehl, Ortiz, and Torlakson.

Failed passage

AB 2280—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2378—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2600—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2631—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Alpert, Bowen, Kuehl, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2665—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, and Torlakson.

NOES (0)—None.

AB 2673—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Alpert, Bowen, Kuehl, Ortiz, Sher, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

AB 2875—Do pass

AYES (4)—Senators Denham, Hollingsworth, Oller, and Torlakson.

NOES (4)—Senators Alpert, Bowen, Kuehl, and Ortiz.

Failed passage

AB 2875—Reconsideration granted

AYES (9)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Oller, Ortiz, Sher, and Torlakson.

NOES (0)—None.

AB 2915—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Denham, Hollingsworth, and Oller.

NOES (3)—Senators Bowen, Ortiz, and Sher.

Failed passage

AB 2994—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Bowen, Denham, Hollingsworth, Kuehl, Ortiz, and Torlakson.

NOES (1)—Senator Oller.

AB 3039—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Alpert, Bowen, Kuehl, Ortiz, and Torlakson.

NOES (3)—Senators Denham, Hollingsworth, and Oller.

Date of Hearing: 6/29/04

Kuehl (Chair)

Committee on Public Safety

AB 57—Do pass as amended and re-refer to Committee on Appropriations

AYES (2)—Senators Margett and McPherson.

NOES (3)—Senators Romero, Sher, and Vasconcellos.

Failed passage

AB 57—Reconsideration granted

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1232—Do pass

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1667—Do pass as amended

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 1781—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (2)—Senators Margett and Romero.

Failed passage

AB 1781—Reconsideration granted

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2019—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2190—Do pass and re-refer to Committee on Governmental Organization

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2191—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2474—Do pass and re-refer to Committee on Judiciary

AYES (4)—Senators McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2568—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (2)—Senators Margett and Romero.

Failed passage

AB 2591—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Burton, Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2721—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators McPherson and Sher.

NOES (2)—Senators Margett and Romero.

Failed passage

AB 2721—Reconsideration granted

AYES (5)—Senators Margett, McPherson, Romero, Sher, and Vasconcellos.

NOES (0)—None.

AB 2858—Do pass as amended and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (2)—Senators Margett and Romero.

Failed passage

Date of Hearing: 6/29/04

McPherson (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Dunn and Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Morrow.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9:30 a.m., Wednesday, June 30, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, June 30, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—36.

Quorum present.

(NOTE: Senators Dunn and Vincent will be excused this day due to family illnesses and Senator Bowen will be excused this day due to illness.)

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, June 30, 2004

The Committee on Rules has re-referred the following measures to committee:

Education—AB 2525.

Judiciary—AB 746.

Labor and Industrial Relations—AB 459.

The Committee on Rules has referred the following measures to committee:

Education—SJR 31; AJR 88.

Energy, Utilities and Communications—AJR 89.

Judiciary—AJR 60, AJR 85.

Transportation—ACR 209.

The Committee on Rules has re-referred the following measure to two committees:

Energy, Utilities and Communications and Governmental Organization—AB 81.

Committee on Judiciary

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 3079

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Senate Chamber, June 30, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2430

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 2430—An act to amend Sections 5500 and 5501 of, and to add Section 5513 to, the Public Utilities Code, relating to commercial air carriers, and declaring the 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.

Committee on Health and Human Services

Date of Hearing, June 23, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 2943

AB 3056

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Education

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which was referred:
AB 1010

Reports the same back with the recommendation: Do pass as amended.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 16, 2004

Mr. President: The Committee on Education, to which was referred:
ACR 177

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which was referred:
AB 2477

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which were referred:
AB 1858 AB 2909

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, June 29, 2004

Mr. President: The Committee on Rules has examined:
SB 1536

And reports that the same has been correctly enrolled, and presented to the Governor on the 29th day of June, 2004, at 3 p.m.

BURTON, Chair

Committee on Natural Resources and Wildlife

Date of Hearing, June 29, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2063

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

KUEHL, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, June 30, 2004

Mr. President: The Committee on Rules has examined:

SB 1884

And reports that the same has been correctly enrolled, and presented to the Governor on the 30th day of June, 2004, at 10 a.m.

BURTON, Chair

Committee on Natural Resources and Wildlife

Date of Hearing, June 29, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which were referred:

AB 113

AB 2378

AB 2600

AB 2665

AB 2673

AB 3039

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 29, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2186

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 measure re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which was referred:

AB 2800

Reports the same back with the recommendation: Do pass as amended.
VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, June 29, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 358

AB 2613

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.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Judiciary, to which was referred:

SJR 2

Reports the same back with the recommendation: Be adopted.

ESCUTIA, Chair

Above resolution ordered to third reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 1707

AB 2761

AB 3080

Reports the same back with the recommendation: Do pass.

ESCUTIA, Chair

Above bills ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2787

Reports the same back with the recommendation: That the measure be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

ESCUTIA, Chair

Subject matter of the above measure referred to the Committee on Rules.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2811

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 23, 2004

Mr. President: The Committee on Education, to which were referred:

AB 1944 AB 2387 AB 3010

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which were referred:

AB 921 AB 1650 AB 2343
AB 2455 AB 2744

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 30, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 2396

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments**Assembly Bill 2396**—An act to amend Section 42889 of, and to add Article 7 (commencing with Section 42860) to Chapter 16 of Part 3 of Division 30 of, the Public Resources Code, relating to solid waste, and by 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 Natural Resources and Wildlife

Senate Chamber, June 30, 2004

Mr. President: The Chair of the Committee on Natural Resources and Wildlife, to which was referred:

AB 2915

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

KUEHL, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Transportation

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which were referred:

SCR 78 AB 2666 AB 2823 AB 3049

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.

MURRAY, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which were referred:

AB 1394 AB 2075 AB 2606 ACR 67
AB 1847 AB 2128 AB 2683 ACR 189
AB 1854 AB 2222 AB 2785
AB 2041 AB 2366 AB 2848
AB 2043 AB 2498 AB 3047

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

MURRAY, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 2547

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

MURRAY, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 466

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which were referred:

AB 2817 AB 3048

Reports the same back with the recommendation: Do pass.

MURRAY, Chair

Above bills ordered to second reading.

Committee on Appropriations

Senate Chamber, June 30, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 493

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 493—An act to add Section 6608.5 to the Welfare and Institutions Code, relating to sexually violent predators, and declaring the 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.

Committee on Public Safety

Date of Hearing, June 22, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 2403

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Local Government

Date of Hearing, June 30, 2004

Mr. President: The Committee on Local Government, to which was referred:

AB 2473

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

TORLAKSON, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:

AB 2139

Reports the same back with the recommendation: Do pass as amended.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:

AB 2514

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 30, 2004

Mr. President: The Committee on Education, to which was referred:

AB 1554

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which was referred:

AB 780

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Senate Chamber, June 30, 2004

Mr. President: The Chair of the Committee on Environmental Quality, to which was referred:

AB 3090

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SHER, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3090—An act to amend Section 21065 of the Public Resources Code, relating to environmental quality.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Education

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which were referred:

AB 598 AB 2413 AB 2559
AB 2923 AB 3015

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measures ordered to second reading.

Date of Hearing, June 24, 2004

Mr. President: The Committee on Education, to which was referred:

AB 1997

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Veterans Affairs.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Senate Chamber, June 29, 2004

Mr. President: The Chair of the Committee on Energy, Utilities and Communications, to which were referred:

AB 1157 AB 1468 AB 2869

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 1157**—An act to amend Section 455.2 of, and to add Section 455.4 to, the Public Utilities Code, relating to public utilities.

Bill read second time.

Assembly Bill 1468—An act to add Section 25370 to the Public Resources Code, relating to motor vehicle fuel conservation.

Bill read second time.

Assembly Bill 2869—An act to amend Section 9601 of the Public Utilities Code, relating to public utilities.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

State Capitol, June 30, 2004

Mr. President: The Senate Rules Committee, on a vote of 3–0, has returned AB 380 (Chan) to the Senate Floor.

BURTON, Chair

Above measure ordered placed on second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Joint Resolution 30—Relative to federal environmental permit and review process streamlining.

Resolution read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 858—An act to add Article 3.5 (commencing with Section 221.2) to Chapter 2 of Part 1 of the Education Code, relating to schools.

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 1810—An act to add Division 21 (commencing with Section 51000) to the Financial Code, relating to automated teller machines.

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 1881—An act to amend Sections 18986.86 and 18986.87 of, and to repeal Section 18986.88 of, the Welfare and Institutions Code, relating to health and human 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 1925—An act to amend Section 51938 of the Education Code, relating to instruction.

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 2072—An act to amend Section 660 of, and to add and repeal Section 660.2 of, the Harbors and Navigation Code, relating to vessels.

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 2469—An act to amend Sections 67312 and 89009 of, and to repeal Section 69563 of, the Education Code, and to amend Section 10860 of the Public Contract Code, relating to public postsecondary education.

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 2946—An act to add Section 10007 to 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 Concurrent Resolution 116—Relative to history and social science curriculum.

Resolution 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 1466—An act to repeal Title 7.9 (commencing with Section 68055) of the Government Code, and to add Chapter 5.3 (commencing with Section 42260) and 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 and ordered to third reading.

Assembly Bill 1663—An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 1728—An act to amend Sections 900, 923, 931, 934, 1215.1, 1215.2, and 1872.85 of, and to repeal Section 1861.135 of, the Insurance Code, relating to insurance.

Bill read second time and ordered to third reading.

Assembly Bill 1799—An act to amend Sections 18761 and 18766 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 2160—An act to add Section 11055 to the Penal Code, relating to foreign prosecution.

Bill read second time and ordered to third reading.

Assembly Bill 2207—An act to amend Section 11093 of the Government Code, relating to statistical districts.

Bill read second time and ordered to third reading.

Assembly Bill 2234—An act to amend Sections 31485.7, 31485.8, 31486.2, 31486.6, 31489, 31490, 31492, 31494.1, 31494.3, 31495.5, 31499.2, 31499.12, and 54957.1 of, to add Sections 31490.5, 31522.6, and 54956.81 to, and to repeal and add Sections 31486.3, 31499.3, and 31499.13 of, the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 2687—An act to amend Sections 58, 7601, 7602, 7603, 7620, 7622, 7660, 7661, and 7666 of the Probate Code, and Section 4986.6 of the Revenue and Taxation Code, relating to public administrators.

Bill read second time and ordered to third reading.

Assembly Bill 2711—An act to add Section 20589 to the Government Code, relating to public employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 2854—An act to amend Sections 10404.5 and 10405.7 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 3040—An act to amend Section 25356.5 of the Health and Safety Code, and to amend Section 13177.7 of the Water Code, relating to hazardous substances.

Bill read second time and ordered to third reading.

Assembly Bill 2067—An act to amend Sections 56030, 56700, and 56886.5 of, and to add Section 56826.5 to, the Government Code, relating to local government reorganization.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 279—An act to amend Section 5101.8 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 868—An act to amend Sections 50710.1 and 50712.5 of the Health and Safety Code, relating to migrant farm labor centers.

Bill read second time and ordered to third reading.

Assembly Bill 890—An act to amend Sections 82027.5, 82036, and 84200.5 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 979—An act to amend Sections 31520.5, 31704, and 31789.5 of, to amend and renumber Section 31537 of, and to add Sections

31764.5, 31764.6, and 31764.7 to, the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 1175—An act to amend Sections 44775.1 and 44775.8 of, and to add Section 44775.9 to, the Education Code, relating to public schools.

Bill read second time and ordered to third reading.

Assembly Bill 1726—An act to amend Sections 47021 and 47026 of the Food and Agricultural Code, relating to agriculture.

Bill read second time and ordered to third reading.

Assembly Bill 1787—An act to add Section 9560 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1814—An act to add and repeal Section 487h of the Penal Code, relating to theft.

Bill read second time and ordered to third reading.

Assembly Bill 1822—An act to amend Section 120335 of the Health and Safety Code, relating to school children immunization.

Bill read second time and ordered to third reading.

Assembly Bill 1855—An act to amend Section 63040 of the Government Code, relating to economic development.

Bill read second time and ordered to third reading.

Assembly Bill 1857—An act to add Section 597.6 to the Penal Code, relating to animals.

Bill read second time and ordered to third reading.

Assembly Bill 1859—An act to add Section 17350.5 to the Corporations Code and to amend Sections 17941 and 17945 of the Revenue and Taxation Code, relating to limited liability companies.

Bill read second time and ordered to third reading.

Assembly Bill 1894—An act to add Section 1536.5 to the Penal Code, relating to business records.

Bill read second time and ordered to third reading.

Assembly Bill 1898—An act to amend Section 1799.2 of the Health and Safety Code, relating to emergency medical services.

Bill read second time and ordered to third reading.

Assembly Bill 1930—An act to amend Section 6516.9 of the Government Code, relating to joint exercise of powers.

Bill read second time and ordered to third reading.

Assembly Bill 1951—An act to amend Section 21461 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1986—An act to amend and repeal Section 361.4 of the Welfare and Institutions Code, relating to dependent children.

Bill read second time and ordered to third reading.

Assembly Bill 2004—An act to repeal and add Section 4532 of the Business and Professions Code, relating to psychiatric technicians.

Bill read second time and ordered to third reading.

Assembly Bill 2014—An act to amend Sections 14252 and 14703 of, and to repeal Division 18 (commencing with Section 40000) of, the Financial Code, relating to financial institutions.

Bill read second time and ordered to third reading.

Assembly Bill 2027—An act to amend Section 560 of the Streets and Highways Code, relating to highways.

Bill read second time and ordered to third reading.

Assembly Bill 2031—An act to amend Section 26614 of the Government Code, relating to search and rescue.

Bill read second time and ordered to third reading.

Assembly Bill 2074—An act to amend Section 4505 of, and to repeal Section 4704 of, the Food and Agricultural Code, relating to fairs.

Bill read second time and ordered to third reading.

Assembly Bill 2145—An act to add Section 12304.4 to the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time and ordered to third reading.

Assembly Bill 2150—An act to amend Section 5107 of the Business and Professions Code, relating to accountancy.

Bill read second time and ordered to third reading.

Assembly Bill 2151—An act to add Section 16001.10 to the Welfare and Institutions Code, relating to adoption practices.

Bill read second time and ordered to third reading.

Assembly Bill 2156—An act to amend Section 23057 of the Financial Code, relating to deferred deposit transactions.

Bill read second time and ordered to third reading.

Assembly Bill 2161—An act to amend Sections 10136, 10137, 10138, 10139, and 10139.5 of the Insurance Code, relating to structured settlements.

Bill read second time and ordered to third reading.

Assembly Bill 2173—An act to add Section 23593 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2184—An act to amend Section 4008 of, and to add Section 4119.1 to, the Business and Professions Code, and to amend Sections 1261.5 and 1261.6 of the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2193—An act to amend Sections 22706 and 22708 of the Business and Professions Code, relating to tanning facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2226—An act to amend Section 2835.5 of the Business and Professions Code, relating to nursing.

Bill read second time and ordered to third reading.

Assembly Bill 2257—An act to amend Sections 77225, 77226, 77229, 77230, 77251, 77252, 77253, 77254, 77255, 77258, 77262, 77264, 77265, 77285, 77289, 77296, 77297, 77298, 77311, 77312, 77313, 77314, 77316, 77317, 77318, 77319, 77320, 77331, 77332, 77333, 77352, 77371, 77373, 77374 of, and to add Section 77260.5 to, the Food and Agricultural Code, relating to the California Pepper Commission.

Bill read second time and ordered to third reading.

Assembly Bill 2281—An act to amend Sections 1179.1, 1179.2, and 1179.5 of, and to amend the heading of Part 5 (commencing with Section 1179) of Division 1 of, the Health and Safety Code, relating to rural health.

Bill read second time and ordered to third reading.

Assembly Bill 2296—An act to amend Section 24013 of, and to repeal and add Section 24015 of, the Business and Professions Code, relating to alcoholic beverage control.

Bill read second time and ordered to third reading.

Assembly Bill 2304—An act to repeal Section 43024 of the Health and Safety Code, and to amend Sections 25748 and 25751 of, and to repeal Chapter 7.2 (commencing with Section 25625) of Division 15 of, the Public Resources Code, relating to energy resources, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2314—An act to amend Sections 19570 and 19590 of the Government Code, relating to state employees.

Bill read second time and ordered to third reading.

Assembly Bill 2355—An act to amend Section 20536 of the Government Code, relating to public employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 2373—An act to amend Section 64201 of the Education Code, relating to education finance.

Bill read second time and ordered to third reading.

Assembly Bill 2384—An act to amend Sections 10163.3, 10172.5, 10174, and 10489.93 of, and to add Sections 10163.35 and 10168.93 to, the Insurance Code, relating to life insurance.

Bill read second time and ordered to third reading.

Assembly Bill 2388—An act to amend Section 8670.23 of the Government Code, relating to harbors.

Bill read second time and ordered to third reading.

Assembly Bill 2395—An act to amend Section 290 of the Penal Code, relating to sex offenders.

Bill read second time and ordered to third reading.

Assembly Bill 2408—An act to amend Sections 7294, 7299.4, and 7299.6 of, and to add Section 7299.7 to, the Government Code, relating to bilingual services.

Bill read second time and ordered to third reading.

Assembly Bill 2409—An act to add Section 1261.6 to the Business and Professions Code, relating to clinical laboratory scientists.

Bill read second time and ordered to third reading.

Assembly Bill 2465—An act to amend Sections 25218.5 and 25502 of the Health and Safety Code, relating to hazardous materials.

Bill read second time and ordered to third reading.

Assembly Bill 2478—An act to amend Section 4507 of the Food and Agricultural Code, relating to fairs.

Bill read second time and ordered to third reading.

Assembly Bill 2528—An act to repeal and add Section 116455 of the Health and Safety Code, relating to public water systems.

Bill read second time and ordered to third reading.

Assembly Bill 2552—An act to amend Sections 4980.02, 4980.43, 4980.44, and 4987.7 of, to amend the heading of Chapter 13 (commencing with Section 4980) of Division 2 of, and to amend the heading of Article 6 (commencing with Section 4987.5) of Chapter 13 of Division 2 of, the Business and Professions Code, relating to marriage and family therapy.

Bill read second time and ordered to third reading.

Assembly Bill 2560—An act to amend Section 2836.1 of the Business and Professions Code, relating to nursing.

Bill read second time and ordered to third reading.

Assembly Bill 2593—An act to add Section 379.7 to the Public Utilities Code, relating to public utilities.

Bill read second time and ordered to third reading.

Assembly Bill 2615—An act to amend Sections 71020 and 78032 of, to repeal Section 66755 of, and to repeal Chapter 14.8 (commencing with Section 67359.10) of Part 40 of, the Education Code, relating to public postsecondary education.

Bill read second time and ordered to third reading.

Assembly Bill 2626—An act to amend Section 3502.1 of the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 2660—An act to amend Sections 4040, 4052, 4060, 4076, and 4111 of the Business and Professions Code, and to amend Section 11150 of the Health and Safety Code, relating to pharmaceuticals.

Bill read second time and ordered to third reading.

Assembly Bill 2693—An act to amend Section 10176 of, and to add Section 10131.8 to, the Business and Professions Code, and to add Section 22317.5 to the Financial Code, relating to lending.

Bill read second time and ordered to third reading.

Assembly Bill 2716—An act to amend Sections 14087.96, 14087.961, 14087.9625, 14087.966, and 14087.969 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 2820—An act to amend Sections 1570.7, 1572, 1579, 1588.5, 1588.7, 1589, and 1591 of the Health and Safety Code, and to amend Sections 14526 and 14573 of the Welfare and Institutions Code, relating to adult day health care.

Bill read second time and ordered to third reading.

Assembly Bill 2842—An act to amend Section 85307 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2850—An act to add Chapter 4.7 (commencing with Section 1080) to Part 3 of Division 2 of the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 2917—An act to amend Section 18600 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 2920—An act to amend and repeal Section 6723 of the Food and Agricultural Code, relating to nursery stock, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2927—An act to amend Sections 24045.2, 24045.3, 24045.4, 24045.6, 24045.9, and 24045.15 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2956—An act to amend Section 31453 of the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 3023—An act to add Section 683 to the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 3024—An act to amend Section 52282 of the Food and Agricultural Code, relating to seeds.

Bill read second time and ordered to third reading.

Assembly Bill 3032—An act to amend Sections 8875.8 and 8875.9 of the Government Code, relating to seismic safety.

Bill read second time and ordered to third reading.

Assembly Bill 3033—An act to amend Section 8875.4 of, and to add and repeal Section 8875.10 of, the Government Code, and to repeal Section 19169 of the Health and Safety Code, relating to seismic safety.

Bill read second time and ordered to third reading.

Assembly Bill 3041—An act to repeal and add Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code, relating to environmental laboratories.

Bill read second time and ordered to third reading.

Assembly Bill 3043—An act to amend Section 24045.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

Assembly Bill 3045—An act to amend Section 33294 of the Food and Agricultural Code, relating to milk.

Bill read second time and ordered to third reading.

Assembly Bill 3077—An act to amend Sections 54975, 56036, 56077, 56132, 56337, 56375.5, 56810, 57025, 57120, 57125, and 57126 of the Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local government reorganization.

Bill read second time and ordered to third reading.

Assembly Bill 3092—An act to amend Section 25755 of, and to add Section 22974.6 to, the Business and Professions Code, and to amend Section 308 of the Penal Code, relating to cigarettes.

Bill read second time and ordered to third reading.

Assembly Bill 3101—An act to amend Section 85401 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time and ordered to third reading.

Assembly Bill 3102—An act to amend Section 19101 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Concurrent Resolution 133—Relative to the Oceanside Police Officer Tony Zeppetella Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 142—Relative to the Los Angeles County Deputy Sheriff David W. March Memorial Interchange.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 145—Relative to the Martin L. Ganz Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 151—Relative to George M. Clark Memorial Bicycle Bridge.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 156—Relative to the Burbank Police Officer Matthew Pavelka Memorial Freeway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 162—Relative to CHP Officer Dean E. Beattie Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 163—Relative to the CHP Officer Shannon Distel Memorial Interchange.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 179—Relative to Officer Mark A. White Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 180—Relative to a Blue Star Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 185—Relative to the Petroleum Highway.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution 74—Relative to hybrid electric vehicles.

Resolution read second time and ordered to third reading.

Assembly Bill 2251—An act to amend Section 21157.6 of the Public Resources Code, relating to environmental quality.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed and to Consent Calendar.

Assembly Bill 2685—An act to add Section 12812.4 to the Government Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2758—An act to amend Section 276.5 of the Public Utilities Code, relating to telecommunications.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2209—An act to add and repeal Section 4310 of 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 2400—An act to amend Sections 11642 , 17920.3, and 17980 of the Health and Safety Code, relating to substandard buildings.

Bill read second time.

The amendments proposed by the Committee on Housing and Community Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1126—An act to amend Section 17074.10 of the Education Code, relating to school facilities.

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 2035—An act to add Section 17592.7 to the Education Code, relating to school facilities.

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 2567—An act to add Sections 17071.50 and 17462.8 to the Education Code, relating to school facilities.

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 2950—An act to amend Sections 17071.75 and 17078.27 of the Education Code, relating to school facilities.

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 42—An act to amend Section 56505.2 of the Education Code, relating to special education.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1530—An act to amend Sections 3412, 3417, 3418, and 3419 of the Penal Code, relating to prisoners.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2065—An act to add Section 13113.5 to the Health and Safety Code, relating to fire protection.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2132—An act to add Section 49414.7 to the Education Code, relating to pupil health.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 488—An act to add Section 290.46 to the Penal Code, relating to sex offenders.

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 1232—An act to amend Sections 21626, 21628, 21636, and 21641 of the Business and Professions Code, to amend Sections 12000 and 12081 of the Health and Safety Code, to amend Sections 12020, 12026.2, 12070, 12071, 12072, 12078, 12125, 12133, 12301, and 12807 of the Penal Code, and to amend Section 31600 of the Vehicle Code, relating to firearms, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 3008—An act to add Section 31485.11 to the Government Code, relating to county employees' retirement.

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 2860—An act to amend Sections 60607 and 60641 of the Education Code, relating to pupils.

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 2446—An act to amend Sections 17077.40 and 17077.42 of the Education Code, relating to school facilities.

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 2678—An act to add Chapter 1.5 (commencing with Section 99040) to Part 65 of the Education Code, relating to public postsecondary education.

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 2751—An act to amend Section 48931 of the Education Code, relating to pupils.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1636—An act to amend Section 49558 of the Education Code, relating to pupil records.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2557—An act to amend Sections 1633 and 1749.1 of, and to add Section 1729.2 to, the Insurance Code, relating to insurance licensing.

Bill read second time and ordered to third reading.

Assembly Bill 323—An act to add Article 7 (commencing with Section 999.50) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans.

Bill read second time and ordered to third reading.

Assembly Bill 687—An act to amend Section 25501 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures was set as a Special Consent Calendar to be taken up on July 2:

SJR 30	AB 1855	AB 2226	AB 2660
AB 2072	AB 1859	AB 2281	AB 2716
AB 2469	AB 1930	AB 2296	AB 2820
ACR 116	AB 1951	AB 2355	AB 2927
AB 1728	AB 1986	AB 2384	AB 3023
AB 2234	AB 2014	AB 2409	AB 3024
AB 2854	AB 2027	AB 2465	AB 3032
AB 279	AB 2031	AB 2478	AB 3041
AB 979	AB 2074	AB 2528	AB 3043
AB 1787	AB 2161	AB 2552	AB 3101
AB 1814	AB 2173	AB 2560	AB 3102
AB 1822	AB 2184	AB 2615	ACR 133

ACR 142	ACR 162	ACR 185	AJR 72
ACR 145	ACR 163	AB 42	
ACR 151	ACR 179	AB 2557	
ACR 156	ACR 180	AB 323	

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1793—An act to add Chapter 6.7 (commencing with Section 20650) to Division 8 of the Business and Professions Code, relating to video games.

Bill read third time.

Amendments Adopted

Amendments to AB 1793 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2776—An act to amend Section 64201 of the Education Code, relating to education.

Bill read third time.

Amendments Adopted

Amendments to AB 2776 proposed by Senator McPherson were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2715—An act to add Chapter 33 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to telemarketing.

Bill read third time.

Amendments Adopted

Amendments to AB 2715 proposed by Senator Murray were read and adopted and the measure ordered printed and to second reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 1812** and **AB 269** were referred to the Committee on Appropriations.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Alpert:

Senate Chamber, June 30, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 28.1 pursuant to Joint Rule 33.1 in order that Senator McPherson may be appointed to the Conference Committees on AB 56 and AB 242.

SENATOR ALPERT

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

JOINT RULES DISPENSED WITH

Without objection, pursuant to Joint Rule 33.1, Joint Rule 28.1 was dispensed with as requested.

APPOINTMENT OF COMMITTEE ON CONFERENCE

Mr. President: The Committee on Rules announces the appointment of Senators Alpert, Scott, and McPherson as a Senate Committee on Conference concerning AB 242 to meet a like committee of the Assembly.

BURTON, Chair

Mr. President: The Committee on Rules announces the appointment of Senators Alpert, Scott, and McPherson as a Senate Committee on Conference concerning AB 56 to meet a like committee of the Assembly.

BURTON, Chair

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 2870** was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations; and

AB 3070 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **SB 1677** was withdrawn from Committee and placed on unfinished business file.

REQUEST TO RETURN BILL TO ASSEMBLY

On the request of Senator Ackerman, SB 1677 was returned to the Assembly for further action.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 1836, AB, 2637, AB 656, AB 262, AB 1961, AB 2189, AB 2318, and AB 2725 to be heard in the Committee on Judiciary on July 1 without 4 days notice in the Daily File.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 1297, AB 1338, AB 2165, AB 2952, AB 1886, AB 2722, and AB 2857 to be heard in the Committee on Revenue and Taxation on July 1 without 4 days notice in the Daily file.

SENATE COMMITTEE ROLL CALLS**Committee on Education**

AB 164—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 598—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 780—Do pass as amended and re-refer to Committee on Rules

AYES (8)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 816—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 825—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 921—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Denham, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 1010—Do pass as amended

AYES (7)—Senators Alarcón, Alpert, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 1126—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 1465—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 1650—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, and Vasconcellos.

NOES (0)—None.

AB 1790—Do pass as amended

AYES (7)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 1858—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 1987—Do pass and re-refer to Committee on Rules

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 1988—Do pass and re-refer to Health and Human Services

AYES (7)—Senators Alarcón, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 1997—Do pass as amended and re-refer to Committee on Veterans Affairs

AYES (9)—Senators Alarcón, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2035—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2066—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2080—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2152—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2343—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 2413—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2435—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2455—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 2462—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 2559—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 2567—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2596—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2647—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2686—Do pass and re-refer to Health and Human Services

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2706—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Denham, McPherson, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2744—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Chesbro, Scott, Sher, Speier, and Vasconcellos.

NOES (2)—Senators Denham and McPherson.

AB 2751—Do pass as amended

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2909—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 2923—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, McPherson, Scott, Speier, and Vasconcellos.

NOES (1)—Senator Denham.

AB 2950—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

AB 3001—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Alpert, Chesbro, Karnette, Scott, Sher, Speier, and Vasconcellos.

NOES (1)—Senator McPherson.

AB 3015—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Alpert, Chesbro, Denham, McPherson, Speier, and Vasconcellos.

NOES (0)—None.

AB 3017—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Scott, Sher, Speier, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 6/24/04

Vasconcellos (Chair)

Committee on Education

SR 36—Be adopted as amended

AYES (8)—Senators Alarcón, Alpert, Denham, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

AB 1554—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Alarcón, Alpert, Chesbro, Denham, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

ACR 193—Be adopted as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Alpert, Denham, Karnette, McPherson, Romero, Scott, Speier, and Vasconcellos.

NOES (0)—None.

Date of Hearing: 6/30/04

Vasconcellos (Chair)

Committee on Energy, Utilities and Communications

AB 1908—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (0)—None.

Failed passage

AB 1908—Reconsideration granted

AYES (7)—Senators Alarcón, Battin, Bowen, McClintock, Murray, Sher, and Vasconcellos.

NOES (0)—None.

AB 2006—Do pass as amended and re-refer to Committee on Rules

AYES (5)—Senators Alarcón, Bowen, Murray, Sher, and Vasconcellos.

NOES (2)—Senators Battin and McClintock.

AB 2918—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Alarcón, Battin, Bowen, Murray, Sher, and Vasconcellos.

NOES (1)—Senator McClintock.

Date of Hearing: 6/29/04

Bowen (Chair)

Committee on Judiciary

SJR 2—Be adopted

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 262—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

Failed passage

AB 262—Reconsideration granted

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 358—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 421—Do pass as amended

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 1623—Do pass as amended

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 1706—Do pass as amended

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 1707—Do pass

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 1714—Do pass as amended

AYES (5)—Senators Ackerman, Cedillo, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 1916—Do pass as amended

AYES (4)—Senators Ackerman, Ducheny, Escutia, and Kuehl.

NOES (1)—Senator Cedillo.

AB 1950—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 1961—Do pass and re-refer to Committee on Appropriations

AYES (2)—Senators Ackerman and Cedillo.

NOES (1)—Senator Escutia.

Failed passage

AB 1961—Reconsideration granted

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 1964—Do pass as amended

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (0)—None.

AB 2007—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (0)—None.

AB 2088—Do pass as amended

AYES (5)—Senators Ackerman, Cedillo, Ducheny, Escutia, and Kuehl.
NOES (0)—None.

AB 2189—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Kuehl, and Sher.
NOES (3)—Senators Ackerman, Cedillo, and Ducheny.
Failed passage

AB 2189—Reconsideration granted

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (0)—None.

AB 2208—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (1)—Senator Ackerman.

AB 2252—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (0)—None.

AB 2318—Do pass as amended

AYES (3)—Senators Escutia, Kuehl, and Sher.
NOES (1)—Senator Ackerman.
Failed passage

AB 2318—Reconsideration granted

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (0)—None.

AB 2363—Do pass

AYES (1)—Senator Kuehl.
NOES (1)—Senator Ackerman.
Failed passage

AB 2363—Reconsideration granted

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.
NOES (0)—None.

AB 2598—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2611—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Ackerman, Cedillo, Escutia, and Kuehl.

NOES (0)—None.

AB 2613—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2691—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2718—Do pass as amended

AYES (4)—Senators Ackerman, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2725—Do pass as amended and re-refer to Committee on Appropriations

AYES (3)—Senators Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Ducheny.

Failed passage

AB 2725—Reconsideration granted

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 2761—Do pass

AYES (4)—Senators Ackerman, Cedillo, Ducheny, and Kuehl.

NOES (1)—Senator Sher.

AB 2783—Do pass as amended

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 2921—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Cedillo, Ducheny, Escutia, and Kuehl.

NOES (0)—None.

AB 3046—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

AB 3080—Do pass

AYES (6)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (0)—None.

Date of Hearing: 6/29/04

Escutia (Chair)

Committee on Local Government**AB 502**—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Ackerman, Hollingsworth, Machado, Margett, Perata, Soto, and Torlakson.

NOES (0)—None.

AB 2473—Do pass and re-refer to Committee on Appropriations

AYES (5)—Senators Hollingsworth, Machado, Perata, Soto, and Torlakson.

NOES (2)—Senators Ackerman and Margett.

Date of Hearing: 6/30/04

Torlakson (Chair)

Committee on Transportation**SB 871**—That the Assembly amendments be concurred in

AYES (9)—Senators Brulte, Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, and Torlakson.

NOES (0)—None.

SCR 78—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 204—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Figueroa, Florez, Murray, Perata, Soto, and Torlakson.

NOES (3)—Senators Brulte, McClintock, and Speier.

Failed passage

AB 392—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Figueroa, Karnette, Scott, Soto, Speier, and Torlakson.

NOES (1)—Senator Brulte.

Failed passage

AB 466—Do pass, to Consent Calendar

AYES (9)—Senators Brulte, Figueroa, Florez, McClintock, Murray, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 477—Do pass and re-refer to Committee on Appropriations

AYES (1)—Senator Brulte.

NOES (5)—Senators Figueroa, Florez, Soto, Speier, and Torlakson.

Failed passage

AB 575—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Murray, Scott, Speier, and Torlakson.

NOES (4)—Senators Brulte, Florez, McClintock, and Soto.

Failed passage

AB 712—Do pass as amended and re-refer to Committee on Appropriations

AYES (10)—Senators Brulte, Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 1394—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 1847—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 1854—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 1878—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2024—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2032—Do pass as amended and re-refer to Committee on Appropriations

AYES (12)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Morrow, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2041—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2043—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2075—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Brulte, Figueroa, McClintock, Murray, Perata, Scott, Speier, and Torlakson.

NOES (1)—Senator Soto.

AB 2128—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2139—Do pass as amended

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2222—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2353—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2366—Do pass and re-refer to Committee on Appropriations

AYES (7)—Senators Figueroa, Florez, Murray, Perata, Scott, Soto, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2377—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (3)—Senators Brulte, McClintock, and Soto.

AB 2458—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Brulte, Scott, Soto, and Speier.

NOES (0)—None.

Failed passage

AB 2498—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Brulte, Figueroa, Karnette, Murray, Perata, Scott, Soto, and Torlakson.

NOES (1)—Senator McClintock.

AB 2514—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2547—Do pass and re-refer to Committee on Judiciary

AYES (8)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (4)—Senators Ashburn, Brulte, McClintock, and Soto.

AB 2606—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2666—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2683—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Figueroa, Florez, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2709—Do pass as amended and re-refer to Committee on Appropriations

AYES (9)—Senators Brulte, Figueroa, Florez, Karnette, Murray, Perata, Scott, Speier, and Torlakson.

NOES (2)—Senators McClintock and Soto.

AB 2784—Do pass as amended and re-refer to Committee on Appropriations

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2785—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2817—Do pass

AYES (9)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (1)—Senator Brulte.

AB 2823—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2848—Do pass and re-refer to Committee on Appropriations

AYES (10)—Senators Brulte, Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 2880—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Figueroa, Florez, Murray, Perata, Soto, Speier, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

AB 2906—Do pass as amended and re-refer to Committee on Appropriations

AYES (6)—Senators Figueroa, Karnette, Murray, Perata, Soto, and Torlakson.

NOES (2)—Senators Brulte and McClintock.

Failed passage

AB 3047—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Figueroa, Florez, Karnette, Murray, Perata, Scott, Soto, and Speier.

NOES (0)—None.

AB 3048—Do pass

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AB 3049—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

ACR 67—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Brulte, Figueroa, Morrow, Murray, Perata, Scott, Soto, and Speier.

NOES (2)—Senators Karnette and McClintock.

ACR 152—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

ACR 189—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

AJR 63—Do pass as amended

AYES (11)—Senators Brulte, Figueroa, Florez, Karnette, McClintock, Murray, Perata, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

Date of Hearing: 6/29/04

Murray (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Dunn and Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 10 a.m., Thursday, July 1, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, July 1, 2004

The Senate met at 10:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—37.

Quorum present.

(NOTE: Senators Dunn and Vincent will be excused this day due to family illnesses.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

May God Almighty direct our days in His peace, and grant us the gifts of His blessing; may He deliver us in all our troubles, and establish our minds in the tranquility of His peace; may He so guide us through things temporal that we finally lose not the things eternal.—AMEN.

(Gregorian Sacramentary, 6CE)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Figueroa led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, July 1, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2690

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:

AB 1878

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:

SB 871

Reports the same back with the recommendation: That the Assembly amendments be concurred in.

MURRAY, Chair

Above measure ordered to unfinished business.

Committee on Appropriations

Senate Chamber, July 1, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2406

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2406—An act to amend, repeal, and add Section 13110.5 of the Health and Safety Code, relating to fire safety.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Senate Chamber, July 1, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1701

AB 1865

AB 1958

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1701—An act to add Chapter 1.695 (commencing with Section 5096.500) to Division 5 of the Public Resources Code, relating to state lands.

Bill read second time.

Assembly Bill 1865—An act to add Section 3069 to the Penal Code, relating to parole.

Bill read second time.

Assembly Bill 1958—An act to amend Section 22791 of, and add Part 9 (commencing with Section 22980) to Division 5 of Title 2 of, the Government Code, relating to pharmaceutical purchasing consortium.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 3079—An act to amend Sections 3110.5, 6222, and 7120 of the Family Code, to amend Sections 6103.2, 68085, 68115, 68502.7, 68926, 68927, 71622, 72190, and 77006.5 of, and to repeal Section 72407 of, the Government Code, and to amend Sections 366.21 and 16010.6 of the Welfare and Institutions Code, relating to the courts.

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 2943—An act to add Article 9 (commencing with Section 124172) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, relating to vaccinations.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 3056—An act to add Section 12317 to the Welfare and Institutions Code, relating to in-home supportive services and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1010—An act to add Section 60063 to 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 to third reading.

Assembly Concurrent Resolution 177—Relative to the University of California.

Resolution 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 2477—An act to add Section 66406 to the Education Code, relating to public postsecondary education.

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 1858—An act to amend Sections 56157, 56366, 56366.1, 56366.5, and 56366.9 of, and to add Sections 56155.7, 56366.10, and 56366.11 to, the Education Code, and to amend Section 1501.1 of the Health and Safety Code, relating to special education.

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 2909—An act to amend Section 95016 of, and to add Section 95029.5 to, the Government Code, relating to early intervention services.

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 2063—An act relating to public resources, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to the Consent Calendar.

Assembly Bill 2800—An act to amend and renumber Sections 66400, 66401, 66402, 66403, 66404, and 66405 of, to add Article 14 (commencing with Section 32440) to Chapter 3 of Part 19 of, and to repeal the heading of Chapter 6 (commencing with Section 66400) of Part 40 of, the Education Code, relating to academic materials.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 1707—An act to amend Section 54.3 of the Civil Code, relating to civil rights.

Bill read second time and ordered to third reading.

Assembly Bill 2761—An act to add Section 1936.05 to the Civil Code, relating to vehicle rental agreements.

Bill read second time and ordered to third reading.

Assembly Bill 3080—An act to amend Section 6001 of the Business and Professions Code, relating to attorneys.

Bill read second time and ordered to third reading.

Assembly Bill 2811—An act to amend Sections 7100 and 7105 of the Health and Safety Code, relating to human remains.

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 1944—An act to amend Section 48205 of the Education Code, relating to pupils.

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 2387—An act to amend, repeal, and add Section 66205 of the Education Code, relating to public postsecondary education.

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 3010—An act to amend Section 81133 of and to add Section 81133.2 to, the Education Code, relating to community colleges.

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 921—An act to amend Section 60810 of the Education Code, relating to pupil testing, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1650—An act to amend Sections 406, 44279.2, 44305, 44308, 44383, 44386, 44393, 44395, 44396, 44401, 44402, 44403, 44404, 44503, 44507, 44579.1, 44731, 52272, 99220, 99221, 99222, 99223, 99224, 99225, 99226, 99232, 99234, 99236, and 99237 of, to add Chapter 3.8 (commencing with Section 44790) to Part 25 of, and to repeal Sections 44279.7, 44384, 44505, 44506, 44579.2, 44579.4, 44579.5, 44730, 99227, 99234.5, and 99235 of, the Education Code, relating to teacher development.

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 2343—An act to amend Sections 17074.52 and 17280 of the Education Code, relating to school facilities.

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 2455—An act to amend Sections 60119, 60200, and 60223 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 2744—An act to amend Section 60605 of the Education Code, relating to testing.

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 466—An act to add Sections 102024, 102025, 102026, 102027, 102028, 102100.1, 102100.2, 102100.3, 102100.4, 102100.5, 102100.6, 102100.7, 101200.8, and 101200.9 to, and to repeal Section 102100 of, the Public Utilities Code, relating to transportation.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2817—An act to amend Sections 100601, 100601.5, 100602.4, 100602.8, 100602.10, 100602.13, 100603, 100605, 100613, 100614, and 100616 of, and to repeal Sections 100602.2, 100602.3, 100602.5, 100602.6, and 100602.7 of, the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 3048—An act relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 2403—An act to amend Section 647.7 of, and to add Section 647.05 to 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 2139—An act to amend Sections 27315, 27360, 27360.5, 27361, 27362, 27364, and 27365 of the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2514—An act to amend Section 21193 of, and to add Section 21193.5 to, the Public Resources Code, and to amend Sections

5106 and 5108 of, and to add Section 5112 to, the Vehicle Code, relating to natural resources.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 780—An act to amend Sections 35705.5, 35706, 35709, 35710, 35710.5, 35710.51, 35722, 35732, 35750, 35751, 35753, and 35754 of, repeal Sections 35707, 35708, 35752, 35755, and 35756 of, and to amend the heading of Article 4 (commencing with Section 35750) of, the Education Code, relating to school districts.

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 Rules.

Assembly Bill 598—An act to amend Sections 69522, 69525, 69529.5, and 69768 of the Education Code, relating to student financial aid, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2413—An act to add Chapter 5.5 (commencing with Section 60700) to Part 33 of the Education Code, relating to English learners.

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 2559—An act to add Article 8.5 (commencing with Section 44600) to Chapter 3 of Part 25 of the Education Code, relating to teachers.

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 2923—An act to add Article 2 (commencing with Section 66910) to Chapter 11 of Part 40 of, and to repeal Sections 66901,

66903, and 67002 of, the Education Code, relating to postsecondary education.

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 3015—An act to amend Section 1064 of the Government Code, relating to military service.

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 1997—An act to amend Sections 66025.6, 69750.3, 69750.5, and 69751 of, and to add Section 69751.8 to, the Education Code, relating to postsecondary education.

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 Veterans Affairs.

Assembly Bill 1793—An act to add Chapter 6.7 (commencing with Section 20650) to Division 8 of the Business and Professions Code, relating to video games.

Bill read second time and ordered to third reading.

Assembly Bill 2776—An act to amend Section 64201 of the Education Code, relating to education.

Bill read second time and ordered to third reading.

Assembly Bill 2715—An act to add Chapter 33 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to telemarketing.

Bill read second time and ordered to third reading.

Assembly Bill 380—An act to add Section 130151 to the Health and Safety Code, relating to the California Children and Families Commission.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 2751** and **AB 42** were re-referred to the Committee on Appropriations.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SCR 88**, **ACR 168**, **ACR 178**, **ACR 221**, and **AJR 86** were withdrawn from Committee and placed on the Special Consent Calendar.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

Consideration of Assembly Amendments

Senate Bill 6—An act relating to education.

Bill presented by Senator Alpert.

The question being: Shall the Senate concur in the Assembly amendments to SB 6?

Roll Call

The roll was called and the Senate refused to concur in Assembly amendments by the following vote:

AYES (1)—Senator Alpert.

NOES (34)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

Senate Bill 550—An act relating to education.

Bill presented by Senator Vasconcellos.

The question being: Shall the Senate concur in the Assembly amendments to SB 550?

Roll Call

The roll was called and the Senate refused to concur in Assembly amendments by the following vote:

AYES (1)—Senator Alpert.

NOES (34)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

Senate Bill 1034—An act to add Title 10 (commencing with Section 2500) to Part 4 of Division 3 of the Civil Code, relating to contracts.

Bill presented by Senator Murray.

The question being: Shall the Senate concur in the Assembly amendments to SB 1034?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado,

Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 61—An act to add and repeal Section 71093 of the Education Code, relating to the Compton Community College District, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Scott.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

REQUEST FOR UNANIMOUS CONSENT (AB 2690)

Senator Burton asked for, and was granted, unanimous consent to take up AB 2690 at this time, without reference to file.

Consideration of Assembly Bill 2690

Assembly Bill 2690—An act to repeal and add Section 1720.4 of the Labor Code, relating to public works, and declaring the urgency thereof, to take effect immediately.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,

Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1818—An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2237—An act to amend Section 22348 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Alarcón, Alpert, Ashburn, Brulte, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator Ackerman.

Bill ordered transmitted to the Assembly.

Assembly Bill 2723—An act to amend Section 1793.2 of the Civil Code, relating to consumer warranties.

Bill read third time and presented by Senator Escutia.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Escutia moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 539—An act to amend Sections 1725 and 1766 of the Business and Professions Code, relating to healing arts, and making an appropriation therefor.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Assembly Bill 2292—An act to add Section 3105 to the Family Code, and to add Section 1602 to the Probate Code, relating to visitation.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2370—An act to add Section 51207 to the Education Code, relating to courses of study.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2085—An act to amend Section 369b of the Penal Code, and to amend Sections 22526 and 42001.16 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1550—An act relating to public education.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Aanestad, Ackerman, Battin, Brulte, Hollingsworth, Johnson, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution 61—Relative to prescription drugs.

Resolution read third time and presented by Senator Ortiz.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, McClintock, McPherson, Morrow, Oller, and Poochigian.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution 62—Relative to prescription drug costs. Resolution read third time and presented by Senator Ortiz. The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ortiz moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution 56—Relative to the extension of the 1994 ban on assault weapons.

Resolution read third time and presented by Senator Perata.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2010—An act to add and repeal Sections 26840.10 and 26840.11 of the Government Code, to add and repeal Sections 103627 and 103628 of the Health and Safety Code, and to add and repeal Sections 18309 and 18309.5 of the Welfare and Institutions Code, relating to domestic violence.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2055—An act to amend Sections 65302, 65560, 65561, 65562, 65564, and 65566 of, and to add Section 65565 to, the Government Code, relating to land use.

Bill read third time and presented by Senator Machado.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Machado moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2137—An act to amend Sections 26726, 26731, and 26733.5 of the Government Code, relating to law enforcement fees.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (6)—Senators Aanestad, Brulte, Hollingsworth, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 2313—An act to amend Section 130311.5 of the Health and Safety Code, relating to medical information.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2821—An act to add Section 14019.7 to the Welfare and Institutions Code, relating to health care services.

Bill read third time and presented by Senator Aanestad.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1299—An act to amend Sections 1368.2, 1746, and 1749 of the Health and Safety Code, relating to health facilities.

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, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1091—An act to amend Section 120130 of the Health and Safety Code, relating to disease prevention, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Aanestad.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1984—An act to add Section 2715.5 to the Public Resources Code, relating to surface mining

Bill read third time and presented by Senator Machado.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alpert, Burton, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller,

Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator Ashburn.

Bill ordered transmitted to the Assembly.

Assembly Bill 2069—An act to repeal Article 6 (commencing with Section 10237) of Chapter 3 of Part 1 of Division 4 of the Business and Professions Code, relating to real estate.

Bill read third time and presented by Senator McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2795—An act to amend Sections 636, 636.1, 11404, 16051.1, and 16506 of the Welfare and Institutions Code, relating to child welfare services.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2734—An act to amend Section 1007 of the Fox Canyon Groundwater Management Agency Act (Chapter 1023 of the Statutes of 1982), relating to the Fox Canyon Groundwater Management Agency, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Kuehl.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Kuehl moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 224—An act to add Section 1353.7 to the Civil Code, and to amend Section 13132.7 of the Health and Safety Code, relating to roof covering materials.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 425—An act to amend Section 2 of Chapter 317 of the Statutes of 1997, to add Sections 4.5 and 5.5 to Chapter 74 of the Statutes of 1978, and to add Sections 2 and 3 to Chapter 526 of the Statutes of 1919, relating to public trust lands.

Bill read third time and presented by Senator Johnson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Chesbro, Denham, Ducheny, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1925—An act to amend Section 51938 of the Education Code, relating to instruction.

Bill read third time and presented by Senator McPherson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,

Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1466—An act to repeal Title 7.9 (commencing with Section 68055) of the Government Code, and to add Chapter 5.3 (commencing with Section 42260) and Chapter 20 (commencing with Section 42970) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senator Alpert Presiding

Assembly Bill 1260—An act to amend Sections 19720 and 19721 of the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1884—An act to amend Section 633 of the Penal Code, relating to privacy.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,

Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2734)**

On motion of Senator Kuehl, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to AB 2734 was adopted by the following vote:

AYES (31)—Senators Ackerman, Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Brulte.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Ackerman, Alarcón, Alpert, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Brulte.

Above bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1881—An act to amend Sections 18986.86 and 18986.87 of, and to repeal Section 18986.88 of, the Welfare and Institutions Code, relating to health and human services.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McClintock, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (4)—Senators Ackerman, Denham, Hollingsworth, and Margett.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2055)**

On motion of Senator Machado, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2055 was refused passage by the following vote:

AYES (20)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (9)—Senators Aanestad, Ashburn, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, and Oller.

Motion to Reconsider

Senator Machado moved to reconsider the vote whereby AB 2055 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered returned to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AJR 62)**

On motion of Senator Ortiz, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AJR 62 was adopted by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2723)**

On motion of Senator Escutia, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2723 was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AJR 56)**

On motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AJR 56 was adopted by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Escutia, Figueroa, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, and Oller.

Above resolution ordered transmitted to the Assembly.

Senator Romero Presiding**CONSENT CALENDAR****Objections Raised**

Senator Bowen objected to **AB 2528** being on the Special Consent Calendar.

Senator Machado objected to **AB 3024** being on the Special Consent Calendar.

Senator Hollingsworth objected to **AB 2478** being on the Special Consent Calendar.

Senator McClintock objected to **AB 2234, AB 979, and AB 323** being on the Special Consent Calendar.

At the request of the author, **AB1859** was removed from the Special Consent Calendar.

The President ordered the above measures placed on the third reading file.

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Sher moved that **AB 3040**, **AB 2251**, **AB 2465**, and **AB 3041** be placed on the inactive file.

Senator McPherson moved that **AB 2286** be placed on the inactive file.

Senator Hollingsworth moved that **AB 2820** be placed on the inactive file.

Senator Alarcón moved that **AB 1867** be placed on the inactive file.

Senator Murray moved that **AB 2162** be placed on the inactive file.

Senator Karnette moved that **AB 2716** be placed on the inactive file.

Senator Perata moved that **AB 3102** and **AB 3092** be placed on the inactive file.

Senator Ducheny moved that **AB 2144** be placed on the inactive file.

Senator Kuehl moved that **AB 356** be placed on the inactive file.

Motions carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of the Welfare and Institutions Code, relating to children.

Bill read third time.

Amendments Adopted

Amendments to AB 2807 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2549—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3620 and 3620.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read third time.

Amendments Adopted

Amendments to AB 2549 proposed by Senator Poochigian were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 3077—An act to amend Sections 54975, 56036, 56077, 56132, 56337, 56375.5, 56810, 57025, 57120, 57125, and 57126 of the Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local government reorganization.

Bill read third time.

Amendments Adopted

Amendments to AB 3077 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1663—An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 1663 proposed by Senator Scott were read and adopted and the measure ordered printed and to second reading.

Senator Burton Presiding

**REPORTS OF STANDING COMMITTEES
Committee on Health and Human Services**

Date of Hearing, June 30, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 1808

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, June 30, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 2816

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.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, June 30, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 2248

AB 2389

AB 2686

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 30, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 2436

AB 2632

AB 2791

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.

Date of Hearing, June 30, 2004

Mr. President: The Committee on Health and Human Services, to which were referred:

AB 1393

AB 2720

Reports the same back with the recommendation: Do pass and be placed on the Consent Calendar.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 1874

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Date of Hearing, June 8, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2499

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 1889

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Date of Hearing, June 29, 2004

Mr. President: The Committee on Governmental Organization, to which was referred:

AB 6

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VINCENT, Chair

Above measure ordered to second reading.

Committee on Judiciary

Senate Chamber, July 1, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2149

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 2149—An act to amend Sections 1538.2 and 1538.5 of, and to add Sections 1524.6 and 1538.6 to, the Health and Safety Code, relating to community care facilities.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Date of Hearing, July 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2713

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2148

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 22, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 50

AB 99

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Natural Resources and Wildlife

Date of Hearing, June 29, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2994

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measure ordered to second reading.

Date of Hearing, June 22, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 2420

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, July 1, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 656

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing, July 1, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

AB 1338

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CEDILLO, Chair

Above measure ordered to second reading.

Date of Hearing, July 1, 2004

Mr. President: The Committee on Revenue and Taxation, to which were referred:

AB 2722

AB 2857

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

CEDILLO, Chair

Above measures re-referred to the Committee on Appropriations.

Committee on Environmental Quality

Date of Hearing, July 1, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2396

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

SHER, Chair

Above measure re-referred to the Committee on Appropriations.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 1408

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

AB 2093

AB 2672

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measures ordered to second reading.

Committee on Judiciary

Date of Hearing, July 1, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 1961

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Appropriations

Date of Hearing, July 1, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 1896

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bill ordered to second reading.

Senate Chamber, July 1, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2128

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2128—An act to amend Section 44091.1 of, and to add Section 44125 to, the Health and Safety Code, relating to air pollution.

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 Rule:

Senate Concurrent Resolution 92: By Senator Figueroa—Relative to statewide health care information infrastructure.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 107** and **AB 2982** were withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

Senator Alpert Presiding**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill 1232—An act to amend Sections 21626, 21628, 21636, and 21641 of the Business and Professions Code, to amend Sections 12000 and 12081 of the Health and Safety Code, to amend Sections 12020, 12026.2, 12070, 12071, 12072, 12078, 12125, 12133, 12301, and 12807 of the Penal Code, and to amend Section 31600 of the Vehicle Code, relating to firearms, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator McPherson.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution 74—Relative to hybrid electric vehicles. Resolution read third time and presented by Senator Murray.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (31)—Senators Ackerman, Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Morrow.

Resolution ordered transmitted to the Assembly.

Assembly Bill 687—An act to add Title 12 (commencing with Section 1811) to Part 3 of the Code of Civil Procedure, and to add Section 12012.40 to, and to add Article 6.5 (commencing with Section 63048.6) to Chapter 2 of Division 1 of Title 6.7 of, the Government Code, relating to tribal-state gaming compacts, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Burton.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

REQUEST TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Alarcón:

Senate Chamber, July 1, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rules 61(b)(12) and 62(a) in order that AB 3020, AB 3021, and AB 3051 may be reported by the Committee on Labor and Industrial Relations after the deadline.

SENATOR ALARCÓN

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rules 61(b)(12) and 62(a) be dispensed with as requested.

Resolution read and presented by Senator Johnson.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

CONSIDERATION OF DAILY FILE (RESUMED)**CONSENT CALENDAR**

Assembly Bill 2835—An act to amend Section 810 of the Business and Professions Code, relating to health care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 216—Relative to senior housing and care quality.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2845—An act to add Section 56525 to the Education Code, relating to special education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2018—An act to add Section 2603.5 to the Family Code, relating to domestic violence.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2351—An act to amend Sections 798.16, 798.26, 798.37, and 799.1.5 of, to amend and renumber Section 798.285 of, and to add Section 799.2.5 to, the Civil Code, relating to mobilehome parks.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 240—Relative to Joint Legislative Committee on Emergency Services and Homeland Security.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

CONSENT CALENDAR

Senate Concurrent Resolution 88—Relative to Valley Fever Awareness Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 168—Relative to Korean War Armistice Day.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 178—Relative to the Compressed Air Foam System (CAFS).

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 221—Relative to student volunteer programs.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 86—Relative to space exploration.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Bill 1558—An act to amend Sections 14010, 14021, 14025, 14028, 14030, 14030.2, 14036, 14037, 14037.5, 14037.6, 14038, 14062, 14064, 14070, 14075, 14076, 14085, and 14086 of the Corporations Code, relating to small business financial development corporations, and declaring the urgency thereof, to take effect immediately.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1823—An act to amend Sections 7072, 7073, 7073.8, 7073.9, 7074, 7075, 7076, 7076.1, 7076.2, 7081, 7085, 7085.5, 7086, 7097, 7107, 7110, 7110.5, 7111, 7113, 7113.5, 7114, 7114.5, 7115, and 7116 of the Government Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1278—An act to amend Sections 4562.9 and 4663 of, and to repeal Sections 4205 and 4563.5 of, the Public Resources Code, relating to natural resources.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1362—An act to add Section 25218.13 to the Health and Safety Code, and to add Sections 40190.5, 41502, and 41512 to the Public Resources Code, relating to solid waste.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1801—An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2196—An act to add Section 49437 to the Education Code, relating to pupil nutrition.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2407—An act to amend Section 37202 of the Education Code, relating to kindergarten.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1356—An act to add Chapter 1.5 (commencing with Section 13995.150) to Part 4.7 of Division 3 of Title 2 of the Government Code, relating to tourism, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2562—An act to amend, repeal, and add Section 7583.9 of the Business and Professions Code, relating to private patrol operators.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2502—An act to amend Section 369.5 of the Welfare and Institutions Code, relating to dependent children.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2167—An act to amend Section 1029.8 of the Code of Civil Procedure, and to amend Section 25506 of, and to add Section 25501.5 to, the Corporations Code, relating to securities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2911—An act to repeal and add Section 701.5 of the Public Resources Code, relating to the Department of Forestry and Fire Protection.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1910—An act to amend Sections 7611, 7630, and 7650 of the Family Code, to add Chapter 4.4 (commencing with Section 1644.7) to Division 2 of the Health and Safety Code, to amend Sections 10172 and 10172.5 of the Insurance Code, and to amend Section 6453 of, and to add Sections 249.5, 249.6, 249.7, and 249.8 to, the Probate Code, relating to probate.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3063—An act to amend Section 66801 of the Education Code, relating to community college attendance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2538—An act to amend Section 19406 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2669—An act to amend, repeal, and add Section 695.221 of the Code of Civil Procedure, and to amend Sections 4009, 4504, and 17402 of the Family Code, relating to child support.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (AB 687)

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to AB 687 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Oller, Perata, Romero, Sher, Soto, Torlakson, and Vasconcellos.

NOES (2)—Senators McClintock and Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Oller, Perata, Romero, Sher, Soto, Torlakson, and Vasconcellos.

NOES (2)—Senators McClintock and Speier.

Above bill ordered transmitted to the Assembly.

REQUEST TO BE ADDED TO ROLL CALL

July 1, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 2292—Aye	AB 2370—Aye	AB 2085—Aye
AB 1550—Aye	AJR 61—Aye	AB 425—Aye
AB 1260—Aye	AB 2137—Aye	

JOHN L BURTON, President pro Tempore

July 1, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 6—No	SB 1034—Aye	AB 61—Aye
AB 2690—Aye	AB 1818—No	AB 2237—No
AB 2723—No	AB 539—Aye	AB 2292—Aye
AB 2370—No	AB 2085—No	AB 1550—No
AJR 61—No	AJR 62—No	AJR 56—No
AB 2010—No	AB 2137—Aye	AB 2313—No
AB 2821—Aye	AB 1289—Aye	AB 2734—Aye
AB 224—Aye	AB 425—Aye	AB 1466—No
AB 1260—Aye	AB 1881—No	AB 1984—Aye
AJR 74—Aye	SB 550—No	

DICK ACKERMAN, Minority Floor Leader

SENATE COMMITTEE ROLL CALLS**Committee on Health and Human Services**

AB 1164—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 1298—Do pass as amended

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, and Romero.

NOES (0)—None.

AB 1393—Do pass, to Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 1808—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 1821—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 1927—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 1988—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 2012—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, and Romero.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 2248—Do pass and re-refer to Committee on Appropriations

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2389—Do pass and re-refer to Committee on Appropriations

AYES (9)—Senators Alarcón, Battin, Chesbro, Escutia, Figueroa, Florez, Kuehl, Ortiz, and Romero.

NOES (2)—Senators Aanestad and Ashburn.

AB 2436—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2632—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2682—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 2686—Do pass and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 2720—Do pass, to Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2763—Do pass and re-refer to Committee on Appropriations

AYES (0)—None.

NOES (7)—Senators Aanestad, Battin, Chesbro, Escutia, Figueroa, Kuehl, and Ortiz.

Failed passage

AB 2763—Reconsideration granted

AYES (10)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, and Vasconcellos.

NOES (0)—None.

AB 2791—Do pass and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2816—Do pass as amended and re-refer to Committee on Appropriations, with the recommendation: To Consent Calendar

AYES (11)—Senators Aanestad, Alarcón, Ashburn, Battin, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (0)—None.

AB 2874—Do pass as amended and re-refer to Committee on Appropriations

AYES (8)—Senators Alarcón, Chesbro, Escutia, Figueroa, Kuehl, Ortiz, Romero, and Vasconcellos.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

Date of Hearing: 6/30/04

Ortiz (Chair)

Committee on Environmental Quality

AB 1353—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2042—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators McPherson and Morrow.

AB 2277—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (2)—Senators McPherson and Morrow.

AB 2290—Do pass

AYES (2)—Senators Chesbro and Romero.

NOES (4)—Senators Figueroa, Kuehl, McPherson, and Sher.

Failed passage

AB 2290—Reconsideration granted

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2396—Do pass and re-refer to Committee on Appropriations

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 2834—Do pass as amended

AYES (7)—Senators Chesbro, Figueroa, Kuehl, McPherson, Morrow, Romero, and Sher.

NOES (0)—None.

AB 2883—Do pass as amended

AYES (6)—Senators Chesbro, Figueroa, Kuehl, McPherson, Romero, and Sher.

NOES (0)—None.

AB 3090—Do pass

AYES (5)—Senators Chesbro, Figueroa, Kuehl, Romero, and Sher.

NOES (1)—Senator Morrow.

Date of Hearing: 7/1/04

Sher (Chair)

Committee on Judiciary

AB 262—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 656—Do pass as amended

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (1)—Senator Ackerman.

AB 1836—Do pass as amended

AYES (7)—Senators Ackerman, Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (0)—None.

AB 1961—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Ackerman, Cedillo, Ducheny, Escutia, and Kuehl.

NOES (0)—None.

AB 2189—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2318—Do pass as amended

AYES (6)—Senators Cedillo, Ducheny, Escutia, Kuehl, Morrow, and Sher.

NOES (1)—Senator Ackerman.

AB 2637—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Ducheny, Escutia, and Kuehl.

NOES (2)—Senators Ackerman and Morrow.

AB 2725—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Cedillo, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

AB 2868—Do pass as amended and re-refer to Committee on Appropriations

AYES (5)—Senators Cedillo, Ducheny, Escutia, Kuehl, and Sher.

NOES (2)—Senators Ackerman and Morrow.

Date of Hearing: 7/1/04

Escutia (Chair)

Committee on Revenue and Taxation

AB 1297—Do pass as amended and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (3)—Senators Ashburn, Hollingsworth, and Poochigian.

AB 1338—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Ashburn, Bowen, Burton, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 1886—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Ashburn, Bowen, Burton, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2165—Do pass as amended and re-refer to Committee on Appropriations

AYES (7)—Senators Alpert, Ashburn, Bowen, Burton, Cedillo, Hollingsworth, and Poochigian.

NOES (0)—None.

AB 2722—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (0)—None.

AB 2857—Do pass and re-refer to Committee on Appropriations

AYES (4)—Senators Alpert, Bowen, Burton, and Cedillo.

NOES (2)—Senators Ashburn and Hollingsworth.

Date of Hearing: 7/1/04

Cedillo (Chair)

Committee on Appropriations

AB 1554—Do pass as amended

AYES (7)—Senators Aanestad, Alpert, Battin, Burton, Escutia, Karnette, and Murray.

NOES (4)—Senators Ashburn, Bowen, Machado, and Speier.

AB 1896—Do pass

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

Date of Hearing: 7/1/04

Alpert (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Dunn and Vincent.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 7:48 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand adjourned until Friday, July 2, 2004.

Motion carried.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Marissa Ann Flores Krog of Vallejo.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Kristoffer Jones, Gladys Korber, Victor Vazquez and Luis Vazquez Gonzalez of Long Beach.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Father Peter Barker and Ronna Berkman Morris of Stockton.

Senator Brulte requested that when the Senate adjourns this day it do so in memory of Frank Gonzales of Sacramento.

ADJOURNMENT

On motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9:30 a.m., Friday, July 2, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, July 2, 2004

The Senate met at 9:30 a.m.
Hon. Gloria Romero, of the 24th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos—36.

Quorum present.

(NOTE: Senators Dunn, Sher, and Vincent will be excused this day due to family illnesses.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Lord God, When You give to Your servants to endeavor any great matter, grant us to know that it is not the beginning but the continuing of the same, until it be thoroughly finished, which yields true glory.—AMEN.

(Sir Francis Drake, adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Alpert led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 1, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 218	SB 1265	SB 1382	SB 1603
SB 526	SB 1285	SB 1441	SB 1637
SB 1142	SB 1310	SB 1494	SB 1815
SB 1183	SB 1326	SB 1495	

Above measures ordered enrolled.

Assembly Chamber, July 1, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

SCR 53	SCR 61	SCR 64
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Above resolutions ordered enrolled.

Assembly Chamber, July 1, 2004

Madam President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 749	SB 1358	SB 651	SCR 68
SB 1150	SB 1663	SB 1130	SCR 69
SB 1153	SB 1746	SB 1260	SCR 70
SB 1236	SB 1908	SB 1826	SJR 24
SB 1277	SB 111	SCR 50	
SB 1314	SB 409	SCR 67	

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, July 1, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 61	AB 1249	AB 2496	AB 3078
AB 434	AB 1870	AB 2877	AB 3081
AB 687	AB 2238	AB 2913	

Assembly Chamber, July 1, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 2268

Assembly Chamber, July 1, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

AJR 83

Assembly Chamber, July 1, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 234

ACR 242

ACR 244

AJR 45

AJR 91

Assembly Chamber, July 1, 2004

*The Honorable Greg Schmidt
Secretary of the Senate*

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 753 and AB 1820 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 for assignment:

Assembly Bill 2268—An act to amend Section 699.5 of, and to add Section 699.1 to, the Military and Veterans Code, relating to veterans.

Assembly Concurrent Resolution 234—Relative to state investment in arts and culture.

Assembly Concurrent Resolution 242—Relative to ballot tally software.

Assembly Concurrent Resolution 244—Relative to hepatitis C awareness.

Assembly Joint Resolution 45—Relative to extradition treaty with Mexico.

Assembly Joint Resolution 83—Relative to special education funding.

Assembly Joint Resolution 91—Relative to the trade assistance for services workers.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 1878—An act to amend Sections 407.5, 12500, 12509, 12804.9, 21225, and 21235 of, and to add Section 21226 to, the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of, and to add Section 16131.5 to, the Welfare and Institutions Code, relating to children.

Bill read second time and ordered to third reading.

Assembly Bill 1808—An act to amend Section 104390 of the Health and Safety Code, relating to tobacco.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2816—An act to add Section 9253.5 to the Welfare and Institutions Code, relating to long-term care.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1393—An act to amend Section 8489.9 of the Education Code, relating to child care.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 2720—An act to amend Section 129805 of the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to Consent Calendar.

Assembly Bill 1874—An act to add Section 14666.9 to the Government Code, and to amend Section 671.5 of, and to add Section 679.1 to, the Streets and Highways Code, relating to telecommunications.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2499—An act to add Sections 25142, 25308, 25309, and 25310 to the Public Resources Code, relating to energy resources.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1889—An act to repeal Section 367.7 of the Public Utilities Code, relating to electrical restructuring.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 6—An act to add Section 19135 to the Government Code, relating to public contracts.

Bill read second time.

The amendments proposed by the Committee on Governmental Organization were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2549—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3260 and 3260.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read second time and ordered to third reading.

Assembly Bill 2713—An act to add Section 6068.1 to the Business and Professions Code, relating to attorneys.

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 2148—An act to amend Sections 2030, 2031, 6340, 6341, and 6344 of the Family Code, relating to family law.

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 50—An act to amend Sections 245, 12011, 12020, 12022, 12022.5, 12079, 12275, 12275.5, 12280, 12285, 12286, 12287, 12288, 12288.5, 12289, and 12290 of, and to add Section 12278 to, 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 99—An act to amend Section 977.2 of the Penal Code, relating to criminal procedure.

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 2994—An act to add Section 12405 to the Public Contract Code, relating to public contracts.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2420—An act to amend Section 4584 of the Public Resources Code, relating to forest resources, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 656—An act relating to trial by jury.

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 1338—An act to amend Sections 18662 and 18668 of 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 1408—An act to amend Section 8670.25.5 of, and to add Section 8670.14.5 to, the Government Code, relating to resources.

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 2093—An act to amend Sections 72505, 72521, and 72530 of, and to add Section 72525 to, the Public Resources Code, relating to vessels.

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 2672—An act to amend Section 72410 of, and to amend, repeal, and add Sections 72400, 72421, and 72440 of, and to add and repeal Section 72425 of, the Public Resources Code, relating to vessels.

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 3077—An act to amend Sections 54975, 56036, 56077, 56132, 56337, 56375.5, 56810, 57025, 57120, 57125, and 57126 of the Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local government reorganization.

Bill read second time and ordered to third reading.

Assembly Bill 1961—An act to add Article 4 (commencing with Section 116022) to Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, relating to water public safety.

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 1896—An act to amend Section 486 of the Food and Agricultural Code, relating to agricultural inspectors, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1663—An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 2807** was re-referred to the Committee on Appropriations.

GOVERNOR REQUESTED TO RETURN BILL

On the request of Senator McPherson, the Secretary of the Senate was requested to ask the Governor to return SB 1536 to the Senate for further action.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS****Consideration of Assembly Amendments**

Senate Bill 1493—An act to amend Section 116025 of the Health and Safety Code, relating to swimming pools, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Vasconcellos.

The question being: Shall the Senate concur in the Assembly amendments to SB 1493?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (27)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, and Vasconcellos.

NOES (2)—Senators Hollingsworth and Karnette.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2207—An act to amend Section 11093 of the Government Code, relating to statistical districts.

Bill read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2782—An act to amend Section 54954.5 of, and to add Section 54956.96 to, the Government Code, relating to public agencies.

Bill read third time and presented by Senator Battin.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa,

Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2257—An act to amend Sections 77225, 77226, 77229, 77230, 77251, 77252, 77253, 77254, 77255, 77258, 77262, 77264, 77265, 77285, 77289, 77296, 77297, 77298, 77311, 77312, 77313, 77314, 77316, 77317, 77318, 77319, 77320, 77331, 77332, 77333, 77352, 77371, 77373, 77374 of, and to add Section 77260.5 to, the Food and Agricultural Code, relating to the California Pepper Commission.

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Ackerman, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Perata, Poochigian, Romero, Soto, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2920—An act to amend and repeal Section 6723 of the Food and Agricultural Code, relating to nursery stock, and making an appropriation therefor.

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Torlakson, and Vasconcellos.

NOES (3)—Senators Aanestad, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS

Senate Joint Resolution 2—Relative to health care.

Resolution read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (22)—Senators Aanestad, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Ackerman, Battin, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2523—An act to amend Section 11571.1 of the Health and Safety Code, relating to controlled substances.

Bill read third time and presented by Senator Cedillo.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 517—An act to amend Section 21455.5 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Murray.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Ashburn, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1416—An act to amend Sections 7099.1 and 21028 of the Revenue and Taxation Code, and to amend Section 13019 of the Unemployment Insurance Code, relating to taxation.

Bill read third time and presented by Senator Cedillo.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2145—An act to add Section 12304.4 to the Welfare and Institutions Code, relating to in-home supportive services.

Bill read third time and presented by Senator Cedillo.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Brulte moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2193—An act to amend Sections 22706 and 22708 of the Business and Professions Code, relating to tanning facilities.

Bill read third time and presented by Senator Cedillo.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Cedillo moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2408—An act to amend Sections 7294, 7299.4, and 7299.6 of, and to add Section 7299.7 to, the Government Code, relating to bilingual services.

Bill read third time and presented by Senator Escutia.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Escutia moved a call of the Senate.

Motion carried.

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Burton moved that **AB 380** be placed on the inactive file.

Senator Figueroa moved that **AB 2004** be placed on the inactive file.

Senator Aanestad moved that **AB 2626** be placed on the inactive file.

Senator Soto moved that **AB 2234** be placed on the inactive file.

Motions carried.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Ortiz moved that **AB 2451** be taken from the inactive file and placed on the second reading file.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 2, 2004

To the Members of the Senate:

Pursuant to your request, I am returning SB 1536 on behalf of the Governor, for further action by the Senate.

Sincerely,

PAMELA K. OTO
Private Secretary of the Governor

Above bill ordered transmitted to the Assembly on request of Senator McPherson.

REPORTS OF STANDING COMMITTEES**Committee on Elections and Reapportionment**

Date of Hearing, June 16, 2004

Madam President: The Committee on Elections and Reapportionment, to which was referred:

SCA 14

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Constitutional Amendments.

PERATA, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, June 29, 2004

Madam President: The Committee on Judiciary, to which was referred:

AB 2252

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Madam President: The Committee on Judiciary, to which were referred:

AB 1623

AB 2783

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measures ordered to second reading.

Date of Hearing, July 1, 2004

Madam President: The Committee on Judiciary, to which was referred:

AB 1836

Reports the same back with the recommendation: Do pass as amended.
ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Local Government

Date of Hearing, June 30, 2004

Madam President: The Committee on Local Government, to which was referred:

AB 502

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

TORLAKSON, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, June 29, 2004

Madam President: The Committee on Transportation, to which was referred:

AB 2709

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Madam President: The Committee on Transportation, to which was referred:

AB 2024

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Madam President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2283

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Education

Date of Hearing, June 23, 2004

Madam President: The Committee on Education, to which was referred:
AB 1860

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 24, 2003

Madam President: The Committee on Education, to which was referred:
AB 3017

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 24, 2004

Madam President: The Committee on Education, to which was referred:
AB 2596

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Date of Hearing, June 30, 2004

Madam President: The Committee on Education, to which was referred:
SR 36

Reports the same back with the recommendation: Be adopted as amended.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 29, 2004

Madam President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2006

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Rules.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, June 29, 2004

Madam President: The Committee on Judiciary, to which were referred:
AB 2208 AB 2611

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, July 2, 2004

Madam President: The Chair of the Committee on Appropriations, to which was referred:

AB 1994

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1994—An act to amend Section 18723 of the Revenue and Taxation Code, and to amend Section 9203.5 of, to add Section 9304.5 to, and to repeal Section 9206 of, the Welfare and Institutions Code, relating to the California Senior Legislature.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Revenue and Taxation

Date of Hearing, July 1, 2004

Madam President: The Committee on Revenue and Taxation, to which was referred:

AB 1297

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CEDILLO, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, June 29, 2004

Madam President: The Committee on Judiciary, to which was referred:
AB 2088

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Madam President: The Committee on Judiciary, to which was referred:
AB 2691

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading

July 1, 2004

Madam President: The Committee on Judiciary, to which was referred:
AB 2318

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Madam President: The Committee on Judiciary, to which were referred:

AB 1706 AB 1916 AB 2718

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measures ordered to second reading.

Committee on Education

Date of Hearing, June 30, 2004

Madam President: The Committee on Education, to which was referred:
ACR 193

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Appropriations.

VASCONCELLOS, Chair

Above measure ordered to second reading.

Committee on Health and Human Services

Date of Hearing, June 30, 2004

Madam President: The Committee on Health and Human Services, to which was referred:

AB 1164

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.

ORTIZ, Chair

Above measure ordered to second reading.

Date of Hearing, June 30, 2004

Madam President: The Committee on Health and Human Services, to which were referred:

AB 1821	AB 1927	AB 1988
AB 2012	AB 2682	AB 2874

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measures ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing, July 1, 2004

Madam President: The Committee on Revenue and Taxation, to which was referred:

AB 1886

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CEDILLO, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, June 29, 2004

Madam President: The Committee on Transportation, to which was referred:

AB 2784

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Madam President: The Committee on Transportation, to which was referred:

AB 2880

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Madam President: The Committee on Transportation, to which was referred:

AJR 63

Reports the same back with the recommendation: Be adopted as amended.
MURRAY, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, June 29, 2004

Madam President: The Committee on Judiciary, to which was referred:
AB 2921

Reports the same back with the recommendation: Do pass as amended, but
first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Madam President: The Committee on Judiciary, to which was referred:
AB 1950

Reports the same back with the recommendation: Do pass as amended.
ESCUTIA, Chair

Above measure ordered to second reading.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 2, 2004

Madam President: I am directed to inform your honorable body that the
Assembly on this day passed:

SB 29 SB 1134 SB 1177 SB 1910

Above measures ordered enrolled.

Assembly Chamber, July 2, 2004

Madam President: I am directed to inform your honorable body that the
Assembly amended, and on this day passed, as amended:

SB 7 SB 615 SB 1626
SB 1832 SB 1880

And respectfully requests your honorable body to concur in said
amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, July 2, 2004

Madam President: I am directed to inform your honorable body that the
Assembly on this day concurred in Senate amendments to:

AB 152 AB 509 AB 1268
AB 1596 AB 1694

Assembly Chamber, July 2, 2004

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 245

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 245—Relative to the Shell Oil Products U.S. refinery at Bakersfield.

Senator Burton Presiding

RE-REFERENCE TO COMMITTEE

On request of Senator Burton, **SCA 2** was re-referred to the Committee on Constitutional Amendments.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Committee on Constitutional Amendments to meet and hear SCA 2 without the 2 days notice in the Daily File.

**CONSIDERATION OF DAILY FILE (RESUMED)
FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2145)**

On the motion of Senator Cedillo, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2145 was passed by the following vote:

AYES (25)—Senators Aanestad, Alarcón, Alpert, Battin, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Morrow, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (6)—Senators Ackerman, Ashburn, Denham, Margett, McClintock, and McPherson.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2193)**

On the motion of Senator Cedillo, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2193 was refused passage by the following vote:

AYES (9)—Senators Alarcón, Cedillo, Figueroa, Murray, Ortiz, Perata, Soto, Torlakson, and Vasconcellos.

NOES (19)—Senators Aanestad, Alpert, Ashburn, Battin, Brulte, Denham, Ducheny, Florez, Hollingsworth, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Oller, Poochigian, Romero, and Speier.

Motion to Reconsider (AB 2193)

Senator Cedillo moved to reconsider the vote whereby AB 2193 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Measure ordered returned to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2408)**

On the motion of Senator Escutia, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2408 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on Tuesday, July 6:

SB 111	SB 1277	SCR 50	AB 3080
SB 409	SB 1314	SCR 67	AB 3048
SB 651	SB 1358	SCR 68	AB 2776
SB 1130	SB 1663	SCR 69	AB 2549
SB 1826	SB 1746	SCR 70	AB 3077
SB 1236	SB 1908	AB 1636	

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2199)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2199 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2199

Assembly Bill 2199—An act to add Section 2051.5 to the Insurance Code, relating to fire insurance, and declaring the urgency thereof, to take effect immediately.

Bill read.

Motion to Amend

Amendments to AB 2199 proposed by Senator Alpert were read and adopted and the measure ordered printed and to second reading.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill 1733—An act to amend Section 2891.1 of the Public Utilities Code, relating to telecommunications.

Bill read third time.

Amendments Adopted

Amendments to AB 1733 proposed by Senator Bowen were read and adopted and the measure ordered printed and to second reading.

MOTION TO RE-REFER TO COMMITTEE

Senator Burton moved that **SCR 72** be re-referred to the Committee on Rules.

Motion carried.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 2149** and **AB 2430** were withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations; and

AB 1997 was withdrawn from the Committee on Veterans Affairs and re-referred to the Committee on Appropriations; and **AB 780** was withdrawn from the Committee on Rules and re-referred to the Committee on Appropriations.

REQUEST TO BE ADDED TO ROLL CALL

July 2, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 2257—Aye SJR 2—No AB 2523—Aye
AB 517—No AB 1416—Aye

DICK ACKERMAN, Minority Floor Leader

July 2, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

SB 1493—Aye	AB 2207—Aye	AB 2257—Aye
SJR 2—Aye	AB 2523—Aye	AB 1416—Aye

JOHN L BURTON, President pro Tempore

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Dunn, Sher, and Vincent.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 2:40 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn.

Motion carried.

COMMUNICATIONS

A Memorandum of Understanding (MOU) reached with Bargaining Unit 6, dated July 2, 2004, was received from the Department of Personnel Administration and filed pursuant to Senate Rule 29.4.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Marlon Brando, noted actor.

Senator Torlakson requested that when the Senate adjourns this day it do so in memory of Beverley Novarina of Pakley.

ADJOURNMENT

At 3:30 p.m., the President declared the Senate adjourned.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, July 6, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Torlakson, and Vasconcellos—29.
Quorum present.

(NOTE: Senators Alarcón, Brulte, Murray, Oller, and Speier will be excused this day on legislative business, Senators Margett, McPherson, and Sher will be excused this day on personal business, and Senators Dunn and Vincent will be excused this day due to family illnesses.)

MESSAGES FROM THE GOVERNOR

Governor’s Office, State Capitol
July 6, 2004

To the Members of the California Senate:

I am returning **Senate Bill 1521** without my signature.

This bill would extend the transitional employment period for janitors from 60 days to 90 days when a new company is awarded a contract for janitorial and maintenance services at a worksite where the janitor is employed and subjects property owners to the notice and retention requirements of existing law.

The current law already offers a measure of protection for janitorial employees not afforded to any employee in any other industry. Extending

the retention period another 30 days would not only create more disparity with other industries, but it would also further delay an employer from exercising his or her rights under California's "at-will" employment doctrine.

This bill expands upon an already troubling precedent in regulating private sector employment relationships. By placing additional burdens on business, passage of this measure would only detract from this Administration's efforts to retain businesses and the jobs they provide in California.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

RECEIPT OF BILLS

I acknowledge receipt this 6th day of July at 12:30 p m., of SB 1521 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette D. J. Madsen.

JOHN W. ROVANE

Chief Assistant Secretary of the Senate

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 2, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

SJR 29

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, July 2, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 228

AJR 90

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measures were read the first time and referred to the Committee on Rules:

Assembly Concurrent Resolution 228—Relative to video and computer games.

Assembly Joint Resolution 90—Relative to clean-burning fuels.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing, July 1, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2189

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Judiciary, to which was referred:
AB 1714

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, July 6, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2210

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2210—An act to amend Sections 44259 and 44279.2 of the Education Code, relating to teachers, and declaring the 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.

Committee on Revenue and Taxation

Date of Hearing, July 1, 2004

Mr. President: The Committee on Revenue and Taxation, to which was referred:

AB 2165

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

CEDILLO, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 29, 2004

Mr. President: The Committee on Public Safety, to which were referred:

AB 2191

AB 2591

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

McPHERSON, Chair

Above measures ordered to second reading.

Committee on Judiciary

Date of Hearing, June 29, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 421

AB 1964

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measures ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 2007

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, July 1, 2004

Mr. President: The Committee on Judiciary, to which were referred:

AB 2637

AB 2725

AB 2868

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measures ordered to second reading.

Senate Chamber, July 6, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2708

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 2708—An act to amend Section 1102.8 of the Labor Code, relating to whistleblowers.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Date of Hearing, July 1, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 1554

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1999

AB 2849

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, July 6, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 2330

AB 2897

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2330—An act to add Section 50980 to the Government Code, relating to volunteer firefighters.

Bill read second time.

Assembly Bill 2897—An act to amend Sections 7500, 7503, 7510, 7511, and 7515 of, and to repeal Section 7555 of the Penal Code, relating to prisoners, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Judiciary

Date of Hearing, July 1, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 262

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Judiciary, to which was referred:

AB 3046

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, July 6, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 340

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 340—An act to amend Sections 21464 and 42001 of the Vehicle Code, relating to traffic control devices.

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 Joint Resolution 32: By Senator McPherson—Relative to homeland security.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Constitutional Amendment 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of, and adding Sections 3.3, 3.5, and 3.7 to, Article II thereof, by amending Sections 2, 6, and 12 of, and adding

Section 23 to, Article IV thereof, and by amending Section 1 of Article XXI thereof, relating to political reform.

Resolution read second time.

The amendments proposed by the Committee on Elections and Reapportionment were read and adopted and the measure ordered printed, and re-referred to the Committee on Constitutional Amendments.

Senate Resolution 36—Relative to Personalized Learning.

Resolution read second time.

The amendments proposed by the Committee on Education were read and adopted and the measure ordered printed and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 2252—An act to amend Sections 11000, 11000.1, 11004.5, 11018.1, and 11018.5 of, to add Chapter 2 (commencing with Section 11210) to Part 2 of Division 4 of, to repeal Sections 11004.6, 11018.8, 11018.9, 11018.10, 11018.11, and 11024 of, and to repeal Article 8.5 (commencing with Section 10250) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, to amend Sections 1365.1, 1367.1, 1689.5, and 1689.24 of the Civil Code, to amend Section 25021 of the Corporations Code, to amend Section 30610 of the Public Resources Code, and to amend Sections 998, 2188.8, 2188.9, and 7280 of the Revenue and Taxation Code, relating to time-share developments.

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 1623—An act to amend Sections 1786.16, 1786.50, and 1786.53 of the Civil Code, relating to investigative consumer reports.

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 2783—An act to add Sections 27388.5 and 27388.7 to the Government Code, relating to recording fees.

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 1836—An act to amend Sections 1354, 1357.120, and 1367.1 of, to amend and renumber Section 1368.4 of, and to add Article 5 (commencing with Section 1363.810) to Chapter 4 of, and Article 1 (commencing with Section 1368.3) and Article 2 (commencing with Section 1369.510) to Chapter 7 of, Title 6 of Part 4 of Division 2 of, the

Civil Code, and to repeal Section 383 of the Code of Civil Procedure, relating to common interest developments.

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 502—An act to add and repeal Section 65962 of the Government Code, relating to local permits.

Bill read second time.

The amendments proposed by the Committee on Local Government were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2709—An act to amend Section 4000.37 of, and to add Sections 16058 and 16058.1 to, the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2024—An act to add Chapter 4.8 (commencing with Section 2195) to Division 3 of the Streets and Highways Code, relating to transportation.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2283—An act to add Article 6.7 (commencing with section 53128) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, and to add Section 2889.7 to the Public Utilities Code, relating to telecommunications.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1860—An act to amend Sections 47601 and 47605 of the Education Code, relating to charter schools.

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 3017—An act to amend Section 17071.75, and to repeal Sections 17071.35 and 17071.40 of the Education Code, relating to school facilities.

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 2596—An act to amend Section 33126 of the Education Code, relating to education.

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 2006—An act to amend Sections 365 and 366 of, and to add Article 17 (commencing with Section 400) to Chapter 2.3 of Part 1 of Division 1 of, and to repeal Section 366 of, the Public Utilities Code, relating to electricity.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Rules.

Assembly Bill 2208—An act to amend Section 1374.58 of the Health and Safety Code, and to amend Section 10121.7 of, and to add Section 381.5 to, the Insurance Code, relating to domestic partners.

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 2611—An act to amend Section 368 of the Penal Code, and to amend Sections 15656 and 15657 of, and to add Section 15657.5 to, the Welfare and Institutions Code, relating to elder and dependent adult abuse.

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 1297—An act to add Section 254 to the Insurance Code, and to add Section 19188 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 2451—An act to repeal Section 11382 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 2088—An act to amend Section 1954.53 of the Civil Code, relating to residential real property.

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 2691—An act to amend Sections 22443.1 and 22443.3 of, and to repeal Section 22442.4 of 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 2318—An act to add Sections 26908.5 and 36525 to the Government Code, relating to local agency auditors.

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 1706—An act to amend Section 5290 of the Family Code, relating to assignment orders.

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 1916—An act to amend Section 7280 of, and to add Sections 7283.5 and 7283.51 to, the Revenue and Taxation Code, relating to taxation.

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 2718—An act to amend Sections 1365, 1365.5, and 1368 of, and to add Sections 1365.2.5 and 1365.3 to, the Civil Code, relating to common interest developments.

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 Concurrent Resolution 193—Relative to higher education.

Resolution 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 1164—An act to amend Sections 5689.3 and 5689.7 of the Welfare and Institutions Code, relating to mental health.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1821—An act to add and repeal Article 5 (commencing with Section 128550) of Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to nursing education.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1927—An act to add Section 1276.45 to the Health and Safety Code, relating to health facilities.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1988—An act to add Section 38086 to the Education Code, relating to schools.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2012—An act to add Article 5 (commencing with Section 111821) to Chapter 7 of Part 5 of Division 104 of the Health and Safety Code, relating to cosmetics.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2682—An act to amend , repeal, and add Section 4043 of, to add and repeal Section 4162.5 of, and to repeal and add Section 4161 of, the Business and Professions Code, relating to pharmacy, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2874—An act to amend Sections 1255.1 and 1300 of the Health and Safety Code, relating to public health.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1886—An act to amend Sections 20583, 20585, and 20602 of 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 2784—An act to amend Sections 130054.1 and 130054.8 of the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2880—An act to amend Sections 41081, 44225, and 44229 of the Health and Safety Code, and to amend Section 9250.2 of the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Joint Resolution 63—Relative to State Highway Route 99. Resolution read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2921—An act to amend Sections 31001, 31119, 31125, 31300, 31303, 31402, 31403, 31405, 31410, and 31411 of, and to add Sections 31001.1, 31109, 31109.1, 31212, 31213, 31406, 31407, and 31408 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises, 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.

Assembly Bill 1950—An act to add Section 1798.81.5 to the Civil Code, relating to privacy.

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 2199—An act to add Section 2051.5 to the Insurance Code, relating to fire insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1733—An act to amend Section 2891.1 of the Public Utilities Code, relating to telecommunications.

Bill read second time and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2376—An act to amend Sections 1357.120 and 1373 of, and to add Section 1378 to, the Civil Code, relating to common interest developments.

Bill read third time.

Amendments Adopted

Amendments to AB 2376 proposed by Senator Oller were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 466—An act to add Sections 102024, 102025, 102026, 102027, 102028, 102100.1, 102100.2, 102100.3, 102100.4, 102100.5, 102100.6, 102100.7, 101200.8, and 101200.9 to, and to repeal Section 102100 of, the Public Utilities Code, relating to transportation.

Bill read third time.

Amendments Adopted

Amendments to AB 466 proposed by Senator Ortiz were read and adopted and the measure ordered printed and to second reading.

REQUEST TO RETURN BILL TO ASSEMBLY

On the request of Senator Sher, SB 1908 was returned to the Assembly for further action.

APPOINTMENT OF COMMITTEE ON CONFERENCE

Mr. President: The Committee on Rules announces the appointment of Senators Alpert, Scott, and McPherson as a Senate Committee on Conference concerning SB 6 and SB 550 to meet a like committee of the Assembly.

BURTON, Chair

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on the next floor session.

SB 7	SB 615	SB 1626
SB 1832	SB 1880	SR 36
AB 1623	AJR 63	AB 2199

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Alarcón, Brulte, Murray, Oller, and Speier.

The following Senators were granted leaves of absence for the day due to personal business: Senators Margett, McPherson, and Sher.

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Dunn and Vincent.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 10:30 a.m., Wednesday, July 7, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, July 7, 2004

The Senate met at 10:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—35.

Quorum present.

(NOTE: Senators Brulte and Margett will be excused this day on personal business and Senators Dunn and Vincent will be excused this day due to family illnesses.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Creator and Ruler of the Universe, In every age You have called humanity to use its gifts for the good of others. Help us this day to do the work You have given us and so come to the rewards You have promised.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Ashburn led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 6, 2004

To the Members of the California Senate:

I am returning **Senate Bill 438** without my signature.

This bill would (1) codify executive order Executive Order D-74-03 to fully reimburse local agencies for the wildfires that occurred in southern California commencing October 21, 2003, (2) provide full reimbursement to local agencies for December 22, 2003, San Simeon earthquake, and (3) provide enhanced net operating loss treatment to individuals and businesses for losses sustained as a result of the Southern California wildfires or San Simeon earthquake, or related casualties.

I am fully supportive of codifying the Executive Order to provide 100 percent reimbursement to local agencies for the devastating southern California wildfires and included \$8.5 million to fund that reimbursement in my January Governor's Budget proposal.

This bill, however, also includes a significant expenditure increase and revenues losses that are not included in my budget proposal. This bill would cost the State \$3 million for the Office of Emergency Services to fully reimburse local agencies for the San Simeon earthquake without any regard to the availability of State revenues. Finally, enhanced net operating loss treatment would result in a General Fund revenue loss of \$18 million over the next few years. Consequently, due to the State's current fiscal constraints, I am vetoing this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
July 6, 2004

To the Members of the California Senate:

I am returning **Senate Bill 1591** without my signature.

This bill would amend the current eligibility requirements for Regional Occupational Centers and Programs (ROCP) by allowing an unlimited number of pupils who are not 16 years of age when they start the school year, but will turn 16 during the school year, to receive career technical education in one of these programs. Current law already allows ineligible

students to enroll in these programs, if an appropriate waiver is filed and approved.

I am a strong supporter of career technical education programs and want to see the State's high school and postsecondary system reformed to provide better opportunities to acquire real world job skills and qualifications. A comprehensive reform proposal would create opportunities for students who do not choose to pursue four-year college degrees to become better prepared to enter the workforce upon graduation.

I wholeheartedly support California's policy to have all students meet high academic standards in core subjects and believe all students who want to pursue college or a vocational career should have the opportunity to receive the type of academic preparation that will enable them to succeed. I think all students should have opportunities to explore their interests and special capabilities and to understand what career choices they have.

However, the State is already allocating hundreds of millions of dollars for career technical education and training across a number of agencies and departments. These resources should be better coordinated to maximize the benefit for all Californians. Therefore, the more appropriate approach to tackling this issue is for my Administration to work with the Legislature in developing a comprehensive plan for strengthening career technical education programs in the State, instead of simply enacting piecemeal changes, as this bill contemplates.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

RECEIPTS OF BILLS

I acknowledge receipt this 6th day of July, 2004 at 4:55 p m., of SB 438 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

DAVID VALVERDE
Assistant Secretary of the Senate

I acknowledge receipt this 6th day of July, 2004 at 7:50 p m., of SB 1591 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Pamela K. Oto.

MARLISSA HERNANDEZ
Assistant Secretary of the Senate

REPORTS OF STANDING COMMITTEES

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2509

Reports the same back with the recommendation: Do pass as amended.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2901

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Committee on Transportation

Date of Hearing, June 29, 2003

Mr. President: The Committee on Transportation, to which was referred:

AB 2032

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Committee on Judiciary

Date of Hearing, June 29, 2003

Mr. President: The Committee on Judiciary, to which was referred:

AB 2598

Reports the same back with the recommendation: Do pass as amended.

ESCUTIA, Chair

Above measure ordered to second reading.

Committee on Energy, Utilities and Communications

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2869

Reports the same back with the recommendation: Do pass.

BOWEN, Chair

Above measure ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 2189—An act to amend Section 22446.5 of, and to add Section 22443.4 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 1714—An act to amend Section 1281 of the Code of Civil Procedure, relating to arbitration.

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 2165—An act to amend Section 8686 of the Government Code, to amend Sections 17207 and 24347.5 of the Revenue and Taxation Code, and to amend Section 1529 of the Water Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

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 2191—An act to add Section 1604.5 to the Penal 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 2591—An act to amend Sections 5371.4, 5411.5, 5412.2, and 5413.5 of, and to add Section 5381.5 to, the Public Utilities Code, relating to charter-party carriers.

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 421—An act to repeal and add Chapter 12 (commencing with Section 679.70) of Part 1 of Division 1 of the Insurance Code, relating to insurance.

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 1964—An act to amend Sections 799.46 and 799.55 of, and to add Sections 1866 and 1867 to, the Civil Code, relating to evictions.

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 2007—An act to amend Sections 7632 and 12028 of the Business and Professions Code, and to amend Section 1749.5 of the Civil Code, relating to business.

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 2637—An act to add Article 4 (commencing with Section 89570) to Chapter 5 of Part 55 of the Education Code, relating to the California State University.

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 2725—An act to amend Section 30824 of, and to add Section 30324.5 to, the Public Resources Code, relating to the California Coastal Commission.

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 2868—An act to amend Section 1632 of the Civil Code, and to add Division 24 (commencing with Section 70000) to the Financial Code, relating to loans.

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 1554—An act to amend Sections 41320, 41320.2, 41327, and 41328 of, to add Article 2.7 (commencing with Section 41329.50) to Chapter 3 of Part 24 of, and to repeal Sections 41323 and 41324 of, the Education Code, and to add Article 9 (commencing with Section 63049.67) to Chapter 2 of Division 1 of Title 6.7 of the Government Code, relating to school finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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 1999—An act to amend Section 66602 of, and to repeal Sections 90450 and 90500 of, the Education Code, and to amend Section

10760 of the Public Contract Code, relating to the California State University.

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 2849—An act to amend Section 66602 and 66606 of the Education Code, relating to the California State University.

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 262—An act to add Article 25 (commencing with Section 4450) to Chapter 9 of Division 2 of the Business and Professions Code, relating to personal 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 3046—An act to amend Section 32814 of the Food and Agricultural Code, relating to milk.

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 2376—An act to amend Sections 1357.120 and 1373 of, and to add Section 1378 to, the Civil Code, relating to common interest developments.

Bill read second time and ordered to third reading.

Assembly Bill 466—An act to amend Section 102015 of, to add Sections 102024, 102025, 102026, 102027, 102028, 102100.1, 102100.2, 102100.3, 102100.4, 102100.5, 102100.6, 102100.7, 101200.8, and 101200.9 to, and to repeal Section 102100 of, the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 749** and **SB 615** were re-referred to the Committee on Rules.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

Consideration of Assembly Amendments

Senate Bill 1260—An act to amend Sections 31492 and 31492.1 of, and to add Section 31760.5 to, the Government Code, relating to county employees' retirement.

Bill presented by Senator Murray.

The question being: Shall the Senate concur in the Assembly amendments to SB 1260?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Oller, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Above bill ordered enrolled.

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Alpert moved that **SB 7** be placed on the inactive file.

Motion carried.

GOVERNOR REQUESTED TO RETURN BILL

On the request of Senator Sher, the Secretary of the Senate was requested to ask the Governor to return SB 1884 to the Senate for further action.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 7, 2004

To the Members of the Senate:

Pursuant to your request, I am returning SB 1884 for further action by the Senate.

Sincerely,

PAMELA K. OTO
Private Secretary of the Governor

Above bill ordered transmitted to the Assembly on request of Senator Sher.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to personal business: Senators Brulte and Margett.

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Dunn and Vincent.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 12 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Thursday, July 8, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Date of Hearing, July 1, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 3090

Reports the same back with the recommendation: Do pass.

SHER, Chair

Above bill ordered to second reading.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2485

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, July 7, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 2043

AB 2533

AB 3047

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2043—An act to add Section 1760 to the Harbors and Navigation Code, relating to ports.

Bill read second time.

Assembly Bill 2533—An act to amend Section 8875.8 of the Government Code, relating to seismic safety.

Bill read second time.

Assembly Bill 3047—An act to amend Sections 302, 470, 527, 30914, and 30914.5 of the Streets and Highways Code, and to amend Sections 5201, 5751.5, 9250.7, 12810, 22670, 22710, 22851.2, 22851.4, 22851.6, 22851.8, 22851.10, and 22852 of the Vehicle Code, relating to transportation.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

Assembly Bill 321—An act to add Section 1366.2 to the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 321 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2946—An act to add Section 10007 to the Penal Code, relating to inmates.

Bill read third time.

Amendments Adopted

Amendments to AB 2946 proposed by Senator Romero were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2373—An act to amend Section 64201 of the Education Code, relating to education finance.

Bill read third time.

Amendments Adopted

Amendments to AB 2373 proposed by Senator Alpert were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2761—An act to add Section 1936.05 to the Civil Code, relating to vehicle rental agreements.

Bill read third time.

Amendments Adopted

Amendments to AB 2761 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Alarcón requested that when the Senate adjourns this day it do so in memory of Alma Catherine Rose of San Fernando Valley.

Senator Chesbro requested that when the Senate adjourns this day it do so in memory of Bill Thurston of Vallejo.

Senator Johnson requested that when the Senate adjourns this day it do so in memory of Grace Putman of Anaheim.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Cheryl Epple of Cerritos.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Barbara Mascarenas Siess of Stockton.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Margaret E. "Marge" Basque of Elk Grove.

Senator Torlakson requested that when the Senate adjourns this day it do so in memory of Vern L. Roberts of Antioch.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, July 8, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, July 8, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Ackerman, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro,
Ducheny, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl,
Machado, McClintock, Morrow, Ortiz, Perata, Poochigian, Romero, Scott,
Speier, Torlakson, and Vasconcellos—25.

Quorum present.

(NOTE: Senators Aanestad, Alarcón, Alpert, Denham, Florez, Margett, McPherson, Murray, Oller, and Soto will be excused this day on legislative business, Senator Brulte will be excused this day on personal business, and Senators Dunn, Sher, and Vincent will be excused this day due to family illnesses.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 7, 2004

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and

consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Victoria L. Bradshaw, former undersecretary, Labor and Workforce Development Agency. Appointed 6/23/04. Effective 6/23/04:
Secretary, Labor and Workforce Development Agency, newly created, 2002 Legislation, term ending at the pleasure of the Governor.

Jeffrey L. Bleich, attorney. Appointed 6/29/04. Effective 7/9/04:
Member, Trustees of the California State University vice Alice A. Huffman, withdrawn from the Senate, term ending 3/1/10.

Herbert L. Carter, retired. Appointed 6/29/04. Effective 7/1/04:
Member, Trustees of the California State University vice Daniel Weinstein, withdrawn from the Senate, term ending 3/1/11.

Carol R. Chandler, a partner, Chandler Farms. Appointed 6/29/04. Effective 7/1/04:
Member, Trustees of the California State University vice Margaret (Dee Dee) J. Myers, resigned, term ending 3/1/12.

Moctesuma Esparza, executive producer, Esparza/Katz Productions. Appointed 6/29/04. Effective 7/1/04:
Member, Trustees of the California State University vice Maria L. Contreras-Sweet, withdrawn from the Senate, term ending 3/1/08.

George W. Gowgani, Associate Dean Emeritus, California Polytechnic State University. Appointed 6/29/04. Effective 7/1/04:
Member, Trustees of the California State University vice Stanley M. Toy, withdrawn from the Senate, term ending 3/1/10.

Melinda Guzman Moore, attorney. Appointed 6/29/04. Effective 7/1/04:
Member, Trustees of the California State University vice Ralph Raymond Pesqueira, term expired, term ending 3/1/12.

Raymond W. Holdsworth, president of AECOM Technology Corporation. Appointed 6/29/04. Effective 7/1/04:
Member, Trustees of the California State University vice Milton Younger, withdrawn from the Senate, term ending 3/1/11.

Vernon Chong, M.D., retired. Appointed 6/1/04. Effective 6/5/04:
Member, California Veterans Board vice Edward M. Feldman, resigned, term ending 1/15/05.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol

July 8, 2004

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Richard H. Ross, former Deputy Commissioner, Criminal Investigation Branch of the California Department of Insurance. Appointed 7/1/04. Effective 7/7/04:

Chief, Bureau of Automotive Repair, Department of Consumer Affairs vice Patrick J. Dorais, withdrawn from the Senate, term ending at the pleasure of the Governor.

Marko Ciril Mlikotin, President of River City Communications. Appointed 6/21/04. Effective 6/25/04:

Director, California Exposition and State Fair vice Rex S. Hime, moved to another slot on board, term ending 1/1/08.

Kathleen K. Nakase, Executive Director, the Orange County Farm Bureau. Appointed 6/21/04. Effective 6/25/04:

Director, California Exposition and State Fair vice Gilbert A. Albiani, term expired, term ending 1/1/08.

Amparo P. Perez-Cook, Co-Founder and Principal, Aztec Media, Inc. and General Manager of two radio stations. Appointed 6/21/04. Effective 6/25/04:

Director, California Exposition and State Fair vice Willie L. Pelote, term expired, term ending 1/1/08.

Brenda J. Southwick, Managing Counsel for the Natural Resources and Environment Division of the California Farm Bureau Federation. Appointed 6/21/04. Effective 6/25/04:

Director, California Exposition and State Fair vice Stephen T. Beneto, term expired, term ending 1/1/08.

Dale Thomas Geldert, former Fire Chief and Deputy City Manager, City of Oceanside. Appointed 6/25/04. Effective 6/28/04:

Director of Forestry and Fire Protection vice Andrea E. Tuttle, resigned, term ending at the pleasure of the Governor.

Ronald Joseph, former Chief Deputy Director and Interim Director for the Department of General Services. Appointed 6/25/04. Effective 6/25/04:

Director, General Services vice Major General William J. Jefferds (Retired), resigned, term ending at the pleasure of the Governor.

Frederick R. Ruiz, businessman. Appointed 7/2/04. Effective 7/7/04:
Member, The Regents of The University of California vice Dolores
C. Huerta, term expired, term ending 3/1/16.

Paul D. Wachter, President and Chief Executive Officer of Main Street
Advisors. Appointed 7/2/04. Effective 7/12/04:
Member, The Regents of The University of California vice John G.
Davies, term expired.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, July 8, 2004

The Committee on Rules has referred the following measures to
committee:

Banking, Commerce and International Trade—AJR 91.

Business and Professions—ACR 228.

Elections and Reapportionment—ACR 242.

Energy, Utilities and Communications—ACR 245.

Health and Human Services—SCR 92; SJR 26.

Judiciary—ACR 167.

Natural Resources and Wildlife—SCR 91.

Public Safety—AJR 45.

Transportation—SCR 89, SCR 90; AJR 90.

Committee on Transportation

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 712

Reports the same back with the recommendation: Do pass as amended, but
first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, July 7, 2004

Mr. President: The Committee on Rules has examined:

SB 29	SB 1177	SB 1362	SB 1558
SB 218	SB 1265	SB 1382	SB 1637
SB 526	SB 1278	SB 1441	SB 1815
SB 1034	SB 1285	SB 1493	SB 1823
SB 1134	SB 1310	SB 1494	SB 1910
SB 1142	SB 1326	SB 1495	

And reports that the same have been correctly enrolled, and presented to the Governor on the 7th day of July, 2004, at 4 p.m.

BURTON, Chair

Committee on Environmental Quality

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2633

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Committee on Public Safety

Date of Hearing, June 29, 2004

Mr. President: The Committee on Public Safety, to which was referred:

AB 1667

Reports the same back with the recommendation: Do pass as amended.

McPHERSON, Chair

Above measure ordered to second reading.

Committee on Environmental Quality

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2657

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

AB 1971

AB 2955

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.

SHER, Chair

Above measures ordered to second reading.

Committee on Rules

July 8, 2004

Mr. President: The Committee on Rules has examined:

SB 1183

SB 1603

And reports that the same have been correctly enrolled, and held at the Desk pursuant to Joint Rule 57.

BURTON, Chair

Senate Chamber, July 8, 2004

Mr. President: The Committee on Rules has examined:

SCR 53

SCR 61

SCR 64

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 8th day of July, 2004, at 3 p.m.

BURTON, Chair

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 2509—An act to add Chapter 5.5 (commencing with Section 2780) to Part 2 of Division 1 of the Public Utilities Code, relating to public utilities.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2901—An act to add Chapter 8.6 (commencing with Section 42490) to Part 3 of Division 30 of the Public Resources Code, relating to and solid waste.

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 2032—An act to add Sections 149.4, 149.5, and 149.6 to the Streets and Highways Code, relating to transportation.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2598—An act to amend Sections 1353.6, 1363, 1365.1, 1365.2, and 1367.1, to add Section 1367.4 to, and to repeal Section 1366.3 of, the Civil Code, and to amend Sections 116.540 and 703.010 of, and to add Section 729.035 to, the Code of Civil Procedure, relating to common interest developments.

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 2869—An act to amend Section 9601 of the Public Utilities Code, relating to public utilities.

Bill read second time and ordered to third reading.

Assembly Bill 3090—An act to amend Section 21087 of the Public Resources Code, relating to environmental quality.

Bill read second time and ordered to third reading.

Assembly Bill 2485—An act to add Section 17212.1 to the Education Code, relating to schools.

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 321—An act to add Section 1366.2 to the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2373—An act to amend Section 64201 of the Education Code, relating to education finance.

Bill read second time and ordered to third reading.

Assembly Bill 2761—An act to add Section 1936.05 to the Civil Code, relating to vehicle rental agreements.

Bill read second time and ordered to third reading.

Assembly Bill 2946—An act to add Section 10007 of the Penal Code relating to inmates.

Bill read second time and ordered to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Joint Rule 10.5, **AB 3090** was referred to the Committee on Appropriations.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 753)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 753 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 753

Assembly Bill 753—An act to amend Section 22821.2 of the Government Code, relating to public employee health benefits, and declaring the urgency thereof, to take effect immediately.

Bill read.

Motion to Amend

Amendments to AB 753 proposed by Senator Battin were read and adopted and the measure ordered printed and to second reading.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Aanestad, Alarcón, Alpert, Denham, Florez, Margett, McPherson, Murray, Oller, and Soto.

The following Senator was granted leave of absence for the day due to personal business: Senator Brulte.

The following Senators were granted leaves of absence for the day due to a family illness: Senators Dunn, Sher, and Vincent.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 1:30 p.m., Monday, July 12, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, July 12, 2004

The Senate met at 1:30 p.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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:
Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson—33.

Quorum present.

(NOTE: Senators Aanestad, Brulte, Margett, and Vasconcellos will be excused this day on personal business and Senators Dunn and Vincent will be excused this day due to family illnesses.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

God in Heaven and in Our Hearts, You call us to be the salt of the earth. You call us to be light to the world. You liken us to the holy city set in a place of honor. Lord, bless us that as we live our lives in service to others, the essence of our being may shine forth for all to see in the goodness of our deeds giving praise and glory to Your Holy Name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Morrow led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 12, 2004

To the Members of the California Senate:

I am returning **Senate Bill 1157** without my signature.

This bill would prohibit health insurance policies from excluding coverage for medical expenses incurred from alcohol and other drug related injuries and/or illnesses.

I encourage the healthcare profession to conduct screenings and offer counseling and intervention services for drug and alcohol abuse. However, coverage of services for injuries incurred due to alcohol and drug use should be available, but not mandated. It is important to give people coverage choices so that they may purchase health insurance products that suit their individual needs.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, July 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2923

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2923—An act to amend Section 66901 of, to add Article 2 (commencing with Section 66910) to Chapter 11 of Part 40 of, and

to repeal and add Section 66903 of, the Education Code, relating to 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 Environmental Quality

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, 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 Appropriations.

SHER, Chair

Above measure ordered to second reading.

Date of Hearing, July 1, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

AB 1353

AB 2042

AB 2277

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measures ordered to second reading.

Date of Hearing, June 21, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2176

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measure ordered to second reading.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2159

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Judiciary.

SHER, Chair

Above measure ordered to second reading.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2953

Reports the same back with the recommendation: Do pass as amended.
SHER, Chair

Above measure ordered to second reading.

Date of Hearing, July 1, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

AB 2834

AB 2883

Reports the same back with the recommendation: Do pass as amended.
SHER, Chair

Above measures ordered to second reading.

Committee on Appropriations

Senate Chamber, July 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2366

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2366—An act to add Section 40277 to the Health and Safety Code, and to amend Section 9250.17 of, and to add Section 9520.21 to, the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Transportation

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:

AB 2377

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, July 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 3073

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 3073—An act to amend Sections 69.4, 214, 214.01, 214.02, 214.5, 214.8, 214.14, and 17076 of, and to add Section 17049 to, 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 measure ordered printed and re-referred to the committee.

Committee on Environmental Quality

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2439

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.

SHER, Chair

Above measure ordered to second reading.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which were referred:

AB 338

AB 1934

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SHER, Chair

Above measures ordered to second reading.

Date of Hearing, June 28, 2004

Mr. President: The Committee on Environmental Quality, to which was referred:

AB 2701

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.

SHER, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, July 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

ACR 67

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Concurrent Resolution 67—Relative to Little India in the City of Artesia.

Resolution 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 29, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 2918

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BOWEN, Chair

Above measure ordered to second reading.

Committee on Governmental Organization

Senate Chamber, July 12, 2004

Mr. President: The Chair of the Committee on Governmental Organization, to which was referred:

AB 2190

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2190—An act to amend Section 172 of the Penal Code, relating to the Fred C. Nelles School for Boys.

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, July 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1465	AB 1958	AB 2008	AB 2240
AB 2248	AB 2751	AB 2848	

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1465—An act to amend Sections 17070.15, 17072.10, 17072.30, and 17072.32 of, and to add Sections 17070.99 and 17074.32 to, the Education Code, relating to school facilities.

Bill read second time.

Assembly Bill 1958—An act to amend Section 22851 of, and to add Part 9 (commencing with Section 22980) to Division 5 of Title 2 of, the Government Code, relating to pharmaceutical purchasing consortium.

Bill read second time.

Assembly Bill 2008—An act to amend Sections 2854, 2859, 2883, 4502, and 4504 of the Business and Professions Code, relating to healing arts.

Bill read second time.

Assembly Bill 2240—An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

Bill read second time.

Assembly Bill 2248—An act to add Chapter 1.5 (commencing with Section 103860) to Part 2 of Division 102 of the Health and Safety Code, relating to public health.

Bill read second time.

Assembly Bill 2751—An act to amend Section 49531.1 of the Education Code, relating to pupils.

Bill read second time.

Assembly Bill 2848—An act to amend Sections 285, 286, 296, 331.1, 331.2, 426, 672, 11701, 11704.5, 11710, and 11723 of the Vehicle Code, relating to all-terrain vehicles.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Transportation

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:
ACR 152

Reports the same back with the recommendation: Be adopted as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To Consent Calendar.

MURRAY, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Transportation, to which was referred:
AB 2353

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MURRAY, Chair

Above measure ordered to second reading.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

Assembly Bill 712—An act to amend Sections 132400, 132410, and 132415 of, and to amend the heading of Chapter 6 (commencing with Section 132400) of Division 12.7 of, the Public Utilities Code, relating to transportation.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2633—An act to amend Section 40194 of, and to add Sections 43032, 43033, and 43034 to, the Public Resources Code, relating to grease.

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 1667—An act to amend Section 803 of, to add Sections 801.1, and 803.5 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2657—An act to add Chapter 2 (commencing with Section 42100) to Part 3 of Division 30 of the Public Resources Code, relating to metal plating facilities.

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 1971—An act to amend Section 40720 of the Health and Safety Code, relating to air pollution.

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 2955—An act to add Section 25290.3 to the Health and Safety Code, relating to underground storage tanks.

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 753—An act to amend Section 22820 of the Government Code, relating to public employee health benefits, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

MEASURES GIVEN SECOND READING

Without objection, Assembly bills reported today: Do pass as amended to Appropriations or Judiciary were given their second reading upon being reported.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 2884—An act to amend Section 13305 of the Water Code, relating to water.

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 1353—An act to add Section 25150.7 to the Health and Safety Code, and to amend Section 13173 of the Water Code, relating to hazardous waste.

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 2042—An act to add Sections 40459.1, 40459.2, and 40459.3 to the Health and Safety Code, relating to ports.

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 2277—An act to amend Sections 25211 and 25404 of, and to add Sections 25211.1, 25211.2, 25211.3, and 25211.4 to, the Health and Safety Code, and to amend Sections 42167 and 42175 of the Public Resources Code, relating to hazardous waste.

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 2176—An act to amend Section 42911 of, and to add Chapter 12.7 (commencing with Section 42648) to Part 3 of Division 30 of, the Public Resources Code, relating to recycling.

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 2159—An act to amend Sections 44015, 44300, 44305, 44307, 44308, 44309, 44310, 45005, 45017, 45030, 45032, 45033, and 45041 of, and to add Sections 44310.5, 45006, and 45022.5 to, the Public Resources Code, relating to solid waste.

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 Judiciary.

Assembly Bill 2377—An act to amend Sections 626, 1803.5, 1808.7, 11200, 11202, 11202.5, 11205, 11205.1, 11206, 11208, 11215, 41501,

42005, 42005.1, and 42007 of, and to add Section 11205.3 to, the Vehicle Code, relating to vehicles.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2439—An act to amend Section 115825 of, and to add Section 115843.5 to, the Health and Safety Code, relating to drinking water.

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 338—An act to add Section 42703 to the Public Resources Code, relating to recycling.

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 1934—An act to amend Section 115825 of, and to add Section 115843 to, the Health and Safety Code, relating to drinking water.

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 2701—An act to amend Sections 13144 and 13152 of, and to repeal Section 12847.5 of, the Food and Agricultural Code, to amend Sections 9795, 12812.2, and 12812.5 of the Government Code, to amend Sections 901, 25174, 25178, 25244.11, 25295, 25299.81, 25369, 25395.32, 39607.5, 39619.5, 41712, 41865, 43101, 44011.6, 44100, 44104.5, 57007, and 115910 of, and to repeal Sections 39604, 39702.5, 43032, and 59019 of, the Health and Safety Code, to amend Section 14315 of the Penal Code, to amend Sections 42885.5, 42889.4 and 42889.5 of, to add Chapter 4 (commencing with Section 71069) to Part 2 of Division 34 of, and to repeal Section 42889.1 of, the Public Resources Code, to amend Sections 7672, 7711 and 7712 of the Public Utilities Code, to amend Sections 13191, 13292, 13369, and 13385 of, and to repeal Sections 10782, 13192, 13198, and 13399.39 of, the Water Code, and to amend Section 4

of Chapter 435 of the Statutes of 1994, relating to environmental protection.

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 2918—An act to add Section 747 to the Public Utilities Code, relating to desalination facilities.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Concurrent Resolution 152—Relative to Michael Evanhoe Interchange.

Resolution read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2353—An act to add and repeal Chapter 7 (commencing with Section 1963) of Division 2.5 of the Streets and Highways Code, and to amend Sections 385.5, 21250, and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

Bill read second time.

The amendments proposed by the Committee on Transportation were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

CONSENT CALENDAR

Objection Raised

Without objection **AB 2281** and **AB 1623** were removed from the Special Consent Calendar.

The President ordered the above measures placed on the third reading file.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **SJR 32**, **ACR 171**, **ACR 175**, **ACR 244**, **AJR 53**, and **AJR 83** were withdrawn from Committee and placed on the Special Consent Calendar to be taken up today.

BILL REPLACED ON SPECIAL CONSENT CALENDAR

Without objection, the following measure was ordered returned to the Special Consent Calendar to be taken up today:

SB 1150

CONSENT CALENDAR

Assembly Bill 2063—An act relating to public resources, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1393—An act to amend Section 8489.9 of the Education Code, relating to child care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2720—An act to amend Section 129805 of the Health and Safety Code, relating to health facilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Joint Resolution 32—Relative to homeland security.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 171—Relative to Vietnam War veterans.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 175—Relative to Hmong History Month.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 244—Relative to hepatitis C awareness.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 53—Relative to the Breast Cancer Research Stamp Program.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 83—Relative to special education funding.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

SPECIAL CONSENT CALENDAR

Senate Bill 1150—An act to add Chapter 4 (commencing with Section 14700) to Division 6 of the Business and Professions Code, relating to lenders.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Joint Resolution 30—Relative to federal environmental permit and review process streamlining.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2072—An act to amend Section 660 of, and to add Section 660.2 to, the Harbors and Navigation Code, relating to vessels.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2469—An act to amend Sections 67312 and 89009 of the Education Code, and to amend Section 10860 of the Public Contract Code, relating to public postsecondary education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 116—Relative to history and social science curriculum.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1728—An act to amend Sections 900, 923, 931, 934, 1215.1, 1215.2, and 1872.85 of, and to repeal Section 1861.135 of, the Insurance Code, relating to insurance.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2854—An act to amend Sections 10404.5 and 10405.7 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 279—An act to amend Section 5101.8 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1787—An act to add Section 9560 to the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1814—An act to add and repeal Section 487h of the Penal Code, relating to theft.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1822—An act to amend Section 120335 of the Health and Safety Code, relating to school children immunization.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1855—An act to amend Section 63040 of the Government Code, relating to economic development.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1930—An act to amend Section 6516.9 of the Government Code, relating to joint exercise of powers.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1951—An act to amend Section 21461 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1986—An act to amend and repeal Section 361.4 of the Welfare and Institutions Code, relating to dependent children.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2014—An act to amend Sections 14252 and 14703 of, and to repeal Division 18 (commencing with Section 40000) of, the Financial Code, relating to financial institutions.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2027—An act to amend Section 560 of the Streets and Highways Code, relating to highways.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2031—An act to amend Section 26614 of the Government Code, relating to search and rescue.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2074—An act to amend Section 4505 of, and to repeal Section 4704 of, the Food and Agricultural Code, relating to fairs.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2161—An act to amend Sections 10136, 10137, 10138, 10139, and 10139.5 of the Insurance Code, relating to structured settlements.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2173—An act to add Section 23593 to the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2184—An act to amend Section 4008 of, and to add Section 4119.1 to, the Business and Professions Code, and to amend Sections 1261.5 and 1261.6 of the Health and Safety Code, relating to health facilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2226—An act to amend Section 2835.5 of the Business and Professions Code, relating to nursing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2296—An act to amend Section 24013 of, and to repeal and add Section 24015 of, the Business and Professions Code, relating to alcoholic beverage control.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2355—An act to amend Section 20536 of the Government Code, relating to public employees' retirement.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2384—An act to amend Sections 10163.3, 10172.5, 10174, and 10489.93 of, and to add Sections 10163.35 and 10168.93 to, the Insurance Code, relating to life insurance.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2409—An act to add Section 1261.6 to the Business and Professions Code, relating to clinical laboratory scientists.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2552—An act to amend Sections 4980.02, 4980.43, 4980.44, and 4987.7 of, to amend the heading of Chapter 13 (commencing with Section 4980) of Division 2 of, and to amend the heading of Article 6 (commencing with Section 4987.5) of Chapter 13 of Division 2 of, the Business and Professions Code, relating to marriage and family therapy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2560—An act to amend Section 2836.1 of the Business and Professions Code, relating to nursing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2615—An act to amend Sections 71020 and 78032 of, to repeal Section 66755 of, and to repeal Chapter 14.8 (commencing with Section 67359.10) of Part 40 of, the Education Code, relating to public postsecondary education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2660—An act to amend Sections 4040, 4052, 4060, 4076, and 4111 of the Business and Professions Code, and to amend Section 11150 of the Health and Safety Code, relating to pharmaceuticals.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2927—An act to amend Sections 24045.2, 24045.3, 24045.4, 24045.6, 24045.9, and 24045.15 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3023—An act to add Section 683 to the Business and Professions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3032—An act to amend Sections 8875.8 and 8875.9 of the Government Code, relating to seismic safety.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3043—An act to amend Section 24045.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3101—An act to amend Section 85401 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 133—Relative to the Oceanside Police Officer Tony Zeppetella Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 142—Relative to the Los Angeles County Deputy Sheriff David W. March Memorial Interchange.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 145—Relative to the Martin L. Ganz Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 151—Relative to George M. Clark Memorial Bicycle Bridge.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 156—Relative to the Burbank Police Officer Matthew Pavelka Memorial Freeway.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 162—Relative to CHP Officer Dean E. Beattie Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 163—Relative to the CHP Officer Shannon Distel Memorial Interchange.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 179—Relative to Officer Mark A. White Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 180—Relative to a Blue Star Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 185—Relative to the Petroleum Highway.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2557—An act to amend Sections 1633 and 1749.1 of, and to add Section 1729.2 to, the Insurance Code, relating to insurance licensing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 72—Relative to the federal gasoline oxygenate mandate.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 111—An act to amend Sections 29, 4866, 6095, and 6140.2 of, and to repeal Sections 2873.7, 6086.12, 9889.60, 9889.62, and 9889.64 of, the Business and Professions Code, to repeal Chapter 3 (commencing with Section 1812.40) of Title 2 of Part 4 of Division 3 of the Civil Code, to amend Section 529.1 of the Code of Civil Procedure, to amend Sections 62000, 71027, 71051, 89343, and 92640 of the Education Code, to amend Section 3200 of, and to repeal Sections 20025 and 20042 of, the Family Code, to amend Section 15702 of, and to repeal Sections 715, 15602, and 15603 of, the Fish and Game Code, to amend Sections 5029, 13127, and 58509 of, and to repeal Sections 13124, 13125, and 42814 of, the Food and Agricultural Code, to amend Sections 6276.12, 6276.30, 6276.46, 8293, 8588.5, 8875.1, 9121, 11011.15, 12092, 12173,

14036.6, 15814.25, 16272.5, and 51015.05 of, to repeal Sections 8593.3, 8599.1, 8870.75, 8877.7, 9116, 11011.19, 14525.6, 16272.3, 16367.9, 19995.35, 19998.5, 30605, 51015.1, 53117, 68106, 68511.4, and 68515 of, to repeal Article 6.5 (commencing with Section 53125) of Chapter 1 of Part 1 of Division 2 of Title 5 of, to repeal Chapter 5 (commencing with Section 16285) of Part 1.5 of Division 4 of Title 2 of, and to repeal Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, the Government Code, to amend Sections 1179.2, 1275.3, 1522.4, 1596.955, 6982, 11758.10, 11772, 11798.1, 11831.5, 11998.2, 16109, 25159.19, 25503.2, 40410.5, 40452, 43013.5, 50519, 50524, 105140, 105175, 110795, 114820, 116360, 124150, 124160, 124195, 127360, 128195, and 129295 of, to repeal Sections 1205.1, 1519, 1520.65, 1522.6, 1527.9, 1529.3, 1557, 1569.545, 1597.01, 1598.3, 11756.5, 11757.62, 11758.33, 11782, 11963.5, 13143.7, 18944.34, 25159.13, 25244.3, 25299.80, 25928, 38045, 39663, 44245, 44247, 50837, 101535, 104595, 105335, 108865, 110540, 120865, 124135, 124140, 124145, 124235, and 127365 of, to repeal Article 5 (commencing with Section 25547) of Chapter 6.95 of Division 20 of, to repeal Article 5 (commencing with Section 100475) of Chapter 3 of Part 1 of Division 101 of, to repeal Chapter 3.5 (commencing with Section 11758.50) of Part 1 of Division 10.5 of, and to repeal Chapter 5 (commencing with Section 11759.10) of Part 1 of Division 10.5 of, the Health and Safety Code, to repeal Sections 11751.51, 12693.94, and 12696.25 of the Insurance Code, to amend Section 139.43 of, and to repeal Section 6715 of, the Labor Code, to repeal Section 1012.5 of the Military and Veterans Code, to amend Sections 653.1, 1247k, 2053, 3053.2, 5010, 5066, 7514, 13508, and 14210 of, and to repeal Sections 1174.6, 3424, 4497.40, 7009, 11108.7, 11110, 13013, 13828.2, and 13871 of, the Penal Code, to amend Sections 612.5, 4562.5, 42553, and 71064 of, and to repeal Sections 2802, 2804.6, 3488, 4473, 4563.5, 6226, 18017, 25689, 29777, 42552, and 42776 of, the Public Resources Code, to amend Sections 322, 701.6, 5371.4, 5385.6, and 99620 of, to repeal Sections 5388, 8303, and 99621 of, and to repeal Article 4 (commencing with Section 442) of Chapter 2.5 of Part 1 of Division 1 of, the Public Utilities Code, to amend Sections 18405, 19264, and 23331 of, and to repeal Sections 2237.3 and 2327 of, the Revenue and Taxation Code, to repeal Section 155.8 of the Streets and Highways Code, to amend Section 11011 of, and to repeal Sections 1598 and 11005 of, the Unemployment Insurance Code, to amend Sections 4750.4, 5011.5, 14112, 40001, and 42007 of, and to repeal Sections 2575, 4750.2, 21370.1, 32005, and 34508.5 of, the Vehicle Code, to repeal Sections 1061, 12226.1, and 12228 of the Water Code, and to amend Sections 503, 1120, 4390, 4689.1, 5719.5, 11008, 11008.19, 11213, 11215, 11469, 11476.6, 14005.6, 14026.5, 14041.5, 14087.2, 14104.6, 14105.15, 14499.5, and 16576 of, and to repeal Sections 225.05, 398, 898.5, 1756.1, 1906, 1914, 4026, 4506, 4519.5, 4637, 4681.2, 4692, 4751, 4838, 4840, 4842, 5734, 5914, 10627, 11004.5, 11406, 12312, 14090,

14090.1, 14090.2, 14090.3, 14195.8, 14492, 16501.6, 18379, 18989.3, and 19856 of, the Welfare and Institutions Code, relating to state reports.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 409—An act to amend Section 17070.75 of the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 651—An act to amend Section 52335.2 of the Education Code, relating to school finance.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1130—An act to amend Sections 20209.12, 20209.13, and 20209.14 of the Public Contract Code, relating to public contracts.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1826—An act to amend Sections 19205, 19261, 19322, 19342, 19348, 19349, 19350, 19354, and 19404 of, and to amend the heading of Article 7 (commencing with Section 19320) of Chapter 5 of Part 3 of Division 9 of, the Food and Agricultural Code, relating to animals.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1236—An act to amend Sections 375, 25258, and 25950 of, and to add Section 24255 to, the Vehicle Code, relating to vehicles.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1277—An act to amend Sections 2924b, 2924h, 2924j, 2924l, 2934a, 2945, 2945.1, 2945.3, and 2945.4 of the Civil Code, relating to mortgages.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1314—An act to amend Sections 11105, 11105.3, and 14203 of the Penal Code, to amend Section 5164 of the Public Resources

Code, and to amend Sections 2432.3 and 13377 of the Vehicle Code, relating to criminal history information, and declaring the urgency thereof, to take effect immediately.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1358—An act to add Section 12528.1 to the Government Code, relating to Medi-Cal.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1663—An act to add Sections 4730.11 and 4730.12 to, to repeal Section 4730.3 of, the Health and Safety Code, relating to sanitation districts.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1746—An act to amend Section 17912 of the Business and Professions Code, to amend Sections 395.2 and 416.40 of the Code of Civil Procedure, to amend Sections 174.5, 5063.5, 12242.5, 15800, and 21200 of, to amend the heading of Part 5 (commencing with Section 24000) of Title 3 of, to add Sections 16309 and 16310 to, to add Part 1 (commencing with Section 18000) to Title 3 of, and to add Chapter 1 (commencing with Section 18605) to Part 2 of Title 3 of, and to repeal Sections 24000, 24001, 24002, 24003, 24004, 24005, 24006, and 24007 of, and to repeal Part 1 (commencing with Section 20000) of, and Chapter 1 (commencing with Section 21000) and Chapter 2 (commencing with Section 21100) of Part 2 of, Title 3 of, the Corporations Code, and to amend Section 50089 of the Government Code, relating to unincorporated associations.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 50—Relative to CHP Officer David W. Manning Memorial Freeway.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 67—Relative to CHP Officer John Pedro Memorial Highway.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 68—Relative to John Castro Memorial Interchange.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 69—Relative to the Everett and Louella Thomas Memorial Highway.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 70—Relative to the Victor V. Veysey Expressway.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1636—An act to amend Section 49558 of the Education Code, relating to pupil records.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3080—An act to amend Section 6001 of the Business and Professions Code, relating to attorneys.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3048—An act relating to transportation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2776—An act to amend Section 64201 of the Education Code, relating to education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2549—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3260 and 3260.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3077—An act to amend Sections 54975, 56036, 56077, 56132, 56337, 56375.5, 56810, 57025, 57120, 57125, and 57126 of the

Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local government reorganization.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1626—An act to amend Section 129785 of the Health and Safety Code, relating to health facility construction, and declaring the urgency thereof, to take effect immediately.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1832—An act to amend Section 1812.601 of the Civil Code, and to amend Sections 72, 327.1, 2503.1, 2503.2, 2504, 2508, 3451, 3456, 3693, 3693.1, 3695, 3701, 3702, 3704, 3704.7, 3707, 3710, and 3716 of, to add Sections 3692.1, 3692.2, and 3692.3 to, and to repeal Sections 3450, 3453, 3454, 3457, and 3717.5 of, the Revenue and Taxation Code, relating to taxation.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1880—An act to amend Section 24002.5 of the Government Code, and to amend Sections 217, 217.1, 220.5, 533, and 5365 of, and to repeal Sections 218.1 and 5180 of the Revenue and Taxation Code, relating to taxation.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Resolution 36—Relative to personalized learning.

Resolution read and adopted.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 63—Relative to State Highway Route 99.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2199—An act to add Section 2051.5 to the Insurance Code, relating to fire insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Consent Calendar Roll Call

The roll was called and the above measures on the Consent Calendar passed by the following vote:

AYES (33)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

MOTION TO REFER MEASURES TO INACTIVE FILE

Senator Romero moved that **AB 1946** and **AB 2127** be placed on the inactive file.

Motion carried.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to personal business: Senators Aanestad, Brulte, Margett and Vasconcellos.

The following Senators were granted leaves of absence for the day due to family illnesses: Senators Dunn and Vincent.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 2:40 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Battin moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn upon call of the President Pro Tempore.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Energy, Utilities and Communications**

Date of Hearing, June 22, 2004

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

AB 1157

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

BOWEN, Chair

Above measure re-referred to the Committee on Appropriations.

Committee on Rules

Senate Chamber, July 12, 2004

Mr. President: The Committee on Rules has examined:

SB 1260

And reports that the same has been correctly enrolled, and presented to the Governor on the 12th day of July, 2004, at 3 p.m.

BURTON, Chair

Committee on Natural Resources and Wildlife

Date of Hearing, June 29, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which were referred:

AB 2064

AB 2631

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measures ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill 2064—An act to amend Section 5625 of, and to add Section 5019.54 to, the Public Resources Code, relating to parks and recreation.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2631—An act to add and repeal Division 37 (commencing with Section 71500) of the Public Resources Code, relating to natural resources.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS**

Assembly Bill 2388—An act to amend Section 8670.23 of the Government Code, relating to harbors.

Bill read third time.

Amendments Adopted

Amendments to AB 2388 proposed by Senator Karnette were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1827—An act to amend Sections 11125.4 and 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

Bill read third time.

Amendments Adopted

Amendments to AB 1827 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1725—An act to amend Section 8617 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

Amendments Adopted

Amendments to AB 1725 proposed by Senator Figueroa were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2800—An act to amend Sections 66400, 66401, 66402, 66403, 66404, and 66405 of, and to add Article 14 (commencing with Section 32440) to Chapter 3 of Part 19 of the Education Code, relating to academic materials.

Bill read third time.

Amendments Adopted

Amendments to AB 2800 proposed by Senator McPherson were read and adopted and the measure ordered printed and to second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **SCA 9** was withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Constitutional Amendments.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing SCA 2 and SCA 9 to be heard in the Committee on Constitutional Amendments without notice in the Daily File.

COMMUNICATIONS

A Memorandum of Understanding (MOU) reached with Bargaining Unit 6, dated July 2, 2004, was received from the Department of Personnel Administration and filed pursuant to Senate Rule 29.4.

REPORTS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

A report dated: April 7, 2004, relating to Use of Harbors and Watercraft Revolving Fund, was received from the Department of Parks and Recreation and transmitted to the Committee Budget and Fiscal Review.

A report dated: June 2004, relating to Approved Blended and Integrated Teacher Preparation Programs, was received from Commission on Teacher Credentialing and transmitted to the Committee on Education.

A report dated: May 27, 2004, relating to Evaluation of the Success of Removing Mercury-Containing Switchers from Vehicles and Major Appliances, was received from Department of Toxic Substances and transmitted to the Committee on Environmental Quality.

Annual report dated: June 22, 2004, relating to Cancer Research, was received from the Department of Health Services and transmitted to the Committee on Health and Human Services.

A report dated: June 23, 2004, relating to Minority, Women, and Disabled Veteran Enterprises, was received from Department of Motor Vehicles and transmitted to the Committee on Governmental Organization.

A report dated: June 21, 2004, relating to Ethnicity, Race, Gender, Minority Women-Owned and Disabled Veteran Enterprise, was received from CalPers and transmitted to the Committee on Governmental Organization.

A report dated: June 25, 2004, relating to the Ongoing Auditing Resources Performance Evaluation, was received from Public Utilities Commission and transmitted to the Committee on Budget and Fiscal Review.

A report dated: June 28, 2004, relating to The Youth Authority Advisory Committee, was received from Department of the Youth Authority and transmitted to the Committee on Public Safety.

Annual report dated: June 29, 2004, relating to Siskiyou County EMS Fund, FY 2002-03, was received from Siskiyou County Auditor-Controller-Recorder and transmitted to the Committee on Health and Human Services.

A report dated: June 29, 2004, relating to California Energy Resources Scheduling Division's (CERS) Activities And Expenditure, was received from the Department of Water Resources and transmitted to the Committee on Energy, Utilities and Communication.

A report dated: June 29, 2004, relating to A New Process for Setting Salary and Benefit Levels for Excluded and Exempt Employees in California State Service, was received from the State Excluded and Exempt Employees Salary-Setting Task Force and transmitted to the Committee on Public Employment and Retirement.

A letter dated: June 30, 2004, notifying the Senate of to the 250 California Special Districts with the largest Revenues for 2002-03 was received from the Office of the State Controller and transmitted to the Committee on Governmental Organization.

A report dated: June 30, 2004, relating to Disabled Veteran-Owned Business Enterprise (DVBE) was received from the Department of Business, Transportation and Housing Agency and transmitted to the Committee on Governmental Organization.

A report dated: June 30, 2004, relating to Procedures and Technology Permitting Consumers to Submit Informal Complaints Through Electronic Means was received from the Public Utilities Commission and transmitted to the Committee on Budget and Fiscal Review.

A report dated: June 30, 2004, relating to Crime in California—2003 was received from Department of Justice and transmitted to the Committee on Public Safety.

A report dated: June 30, 2004, relating to 2004 Evaluation of People with Developmental Disabilities was received from California State University, Sacramento, and transmitted to the Committee on Health and Human Services.

A report dated: July 1, 2004, relating to Braille Reading Task Force, was received from the Department of Education and transmitted to the Committee on Education.

A report dated: July 1, 2004, relating to the Section 21080.5 (k) of the Public Resources Code, was received from the State Resources Agency and transmitted to the Committee on Environmental Quality.

An Audit Report dated: July 6, 2004, relating to the Department of Mental Health's Implementation of Chapter 717, Statutes of 1998, was received from the California State Auditor and transmitted to the Committee on Rules.

A Title Summary report dated: July 6, 2004, relating to Reapportionment. Initiative Constitutional Amendment. was received from Department of Justice and transmitted to the Committee on Rules.

REQUESTS TO ADJOURN IN MEMORIAM

Senators Burton and Romero requested that when the Senate adjourns this day it do so in memory of Frances Powell Emerson of Palmetto, Florida.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Asia Namiko Thorpe of Long Beach.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of LCpl Justin Hunt, (USMC) of Wildomar.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Wendel J. Kiser of Modesto and Elva "Marguerite" Mancuso of Stockton.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Ruby Morris Ardaiz and Florence Tatosian of Fresno and Anna Elizabeth Rutledge of Sacramento.

ADJOURNMENT

At 3:30 p.m., the President declared the Senate adjourned upon call of the President pro Tempore.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, July 13, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton,
Cedillo, Chesbro, Denham, Ducheny, Escutia, Hollingsworth, Johnson,
Karnette, Kuehl, Machado, McClintock, Morrow, Ortiz, Perata,
Poochigian, Romero, Scott, Soto, Speier, and Torlakson—28.

Quorum present.

(NOTE: Senators Florez, McPherson, Murray, Oller, and Sher will be excused this day on legislative business, Senators Brulte, Figueroa, Margett, and Vasconcellos will be excused this day on personal business, and Senators Dunn and Vincent will be excused this day due to family illness.)

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, July 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SCR 78	AB 675	AB 1431	AB 1847
SCR 84	AB 969	AB 1655	AB 1854
AB 113	AB 1272	AB 1704	AB 1969
AB 340	AB 1275	AB 1721	AB 2021

AB 2030	AB 2454	AB 2811	AB 3015
AB 2254	AB 2464	AB 2871	AB 3027
AB 2317	AB 2480	AB 2873	AB 3044
AB 2339	AB 2580	AB 2878	AB 3095
AB 2350	AB 2581	AB 2885	ACR 177
AB 2390	AB 2613	AB 2897	ACR 189
AB 2403	AB 2717	AB 2916	
AB 2412	AB 2807	AB 2973	
AB 2429	AB 2810	AB 3000	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, July 12, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 911	AB 1369	AB 1711	AB 2185
AB 2289	AB 2676	AB 2759	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, July 13, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 6	AB 269	AB 1222	AB 2870
AB 711	AB 2075	AB 2632	AB 2861
AB 79	AB 854	AB 2450	AB 3022

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 6—An act to add Section 19135 to the Government Code, relating to public contracts.

Bill read second time.

Assembly Bill 269—An act to add and repeal Section 33334.30 of the Health and Safety Code, relating to redevelopment.

Bill read second time.

Assembly Bill 1222—An act to add Section 5626.3 to the Public Resources Code, relating to parks and recreation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 2870—An act to amend Sections 12903, 12928, 12935, 12942, 12945, 12955, 12963.3, 12970, 12972, 12973, 12987, 12987.1, and 12989.2 of the Government Code, relating to employment.

Bill read second time.

Assembly Bill 711—An act to amend Sections 94802 and 94905 of, and to add Sections 94735.7 and 94740.1 to, the Education Code, relating to private postsecondary education.

Bill read second time.

Assembly Bill 2075—An act to add Sections 1040 and 1041 to the Government Code, relating to state employees.

Bill read second time.

Assembly Bill 2632—An act to add Section 129875.1 to the Health and Safety Code, relating to health facilities.

Bill read second time.

Assembly Bill 2861—An act to amend Section 4071.1 of the Penal Code, relating to sentenced persons.

Bill read second time.

Assembly Bill 79—An act to add and repeal Section 7550.5 of the Government Code, relating to public agencies, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 854—An act to amend Section 1170 of the Penal Code, relating to crime.

Bill read second time.

Assembly Bill 2450—An act to amend Section 6609.1 of the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Assembly Bill 3022—An act to add Article 2.5 (commencing with Section 17975) to Chapter 5 of Part 1.5 of Division 13 of, to repeal Chapter 6.1 (commencing with Section 50651) of Part 2 of Division 31 of, and to amend Sections 50781 and 50784 of, the Health and Safety Code, relating to housing, 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.

Date of Hearing, July 12, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 2738

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bill ordered to second reading.

Committee on Constitutional Amendments

Senate Chamber, July 13, 2004

Mr. President: The Chair of the Committee on Constitutional Amendments, to which was referred:

SCA 9

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

POOCHIGIAN, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XIII B thereof, relating to appropriations limits.

Resolution 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 ASSEMBLY BILLS

Assembly Bill 2953—An act to amend Section 44281 of the Health and Safety Code, relating to air pollution.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2834—An act to add Section 13557 to the Water Code, relating to water.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2883—An act to amend Section 5 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara Valley Water District.

Bill read second time.

The amendments proposed by the Committee on Environmental Quality were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2388—An act to add Section 8670.23.5 to the Government Code, relating to harbors.

Bill read second time and ordered to third reading.

Assembly Bill 1827—An act to amend Sections 11125.4 and 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

Bill read second time and ordered to third reading.

Assembly Bill 1725—An act to amend Sections 7197, 8617, and 8662 of the Business and Professions Code, relating to structural pest control.

Bill read second time and ordered to third reading.

Assembly Bill 2800—An act to amend Sections 66400, 66401, 66402, 66403, 66404, and 66405 of, and to add Article 14 (commencing with Section 32440) to Chapter 3 of Part 19 of, the Education Code, relating to academic materials.

Bill read second time and ordered to third reading.

REQUEST TO RETURN BILL TO ASSEMBLY

On the request of Senator Burton, **SB 730** was returned to the Assembly for further action.

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Perata moved that **AB 1992** be placed on the inactive file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2840—An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

Bill read third time.

Amendments Adopted

Amendments to AB 2840 proposed by Senator Bowen were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2715—An act to add Chapter 33 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to telemarketing.

Bill read third time.

Amendments Adopted

Amendments to AB 2715 proposed by Senator Figueroa were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations****AB 672**—Do pass as amended

AYES (8)—Senators Alpert, Ashburn, Bowen, Burton, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Battin, Johnson, and Poochigian.

AB 2738—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Ashburn, Battin, and Poochigian.

Date of Hearing: 7/12/04

Alpert (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Florez, McPherson, Murray, Oller, and Sher.

The following Senators were granted leaves of absence for the day due to personal business: Senators Brulte, Figueroa, Margett, and Vasconcellos.

The following Senators were granted leaves of absence for the day due to family illness: Senators Dunn and Vincent.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, July 14, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, July 14, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton,
Cedillo, Chesbro, Ducheny, Escutia, Johnson, McClintock, McPherson,
Morrow, Ortiz, Perata, Poochigian, Scott, Soto, and Torlakson—21.

Quorum present.

(NOTE: Senators Battin, Denham, Florez, Hollingsworth, Machado, Murray, Oller, Romero, and Speier will be excused this day on legislative business, Senators Brulte, Figueroa, Karnette, Kuehl, Margett, and Vasconcellos will be excused this day on personal business, Senators Dunn and Vincent will be excused this day due to family illness, and Senator Sher will be excused this day due to illness.)

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 13, 2004

Mr. President: I am directed to inform your honorable body that the Assembly appointed the following Members of the Assembly as a Committee on Conference concerning AB 56, AB 242, SB 6, and SB 550: Goldberg, Liu, and Daucher.

E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Senate Chamber, July 14, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 745	AB 1138	AB 2545
AB 42	AB 2435	

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 745—An act to add Sections 1210, 35032.5, and 72427 to the Education Code, relating to local educational agencies.

Bill read second time.

Assembly Bill 1138—An act to amend amend Sections 5007, 22511.56, and 22511.57 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2545—An act to add Section 6402.5 to the Labor Code, relating to employment.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Assembly Bill 42—An act to amend Sections 56505 and 56505.2 of the Education Code, relating to special education.

Bill read second time.

Assembly Bill 2435—An act to add Section 51220.6 to the Education Code, relating to instruction.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Constitutional Amendments

Date of Hearing, July 14, 2004

Mr. President: The Committee on Constitutional Amendments, to which was referred:

SCA 9

Reports the same back with the recommendation: Be adopted, but first be re-referred to the Committee on Appropriations.

POOCHIGIAN, Chair

Above measure re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Concurrent Resolution 78—Relative to the Bill Keene Interchange.

Resolution read second time, ordered engrossed, and to third reading.

Senate Concurrent Resolution 84—Relative to the Larry Combs Memorial Rest Stop.

Resolution read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 113—An act to amend Sections 5090.24 and 5090.35 of the Public Resources Code, relating to off-highway motor vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 340—An act to amend Sections 21464 and 42001 of the Vehicle Code, relating to traffic control devices.

Bill read second time and ordered to third reading.

Assembly Bill 675—An act to amend Section 12715 of, and to add Section 12715.5 to, the Government Code, relating to gaming.

Bill read second time and ordered to third reading.

Assembly Bill 969—An act to amend Sections 17700 , 53511, and 53601 of the Government Code, relating to local agency financing.

Bill read second time and ordered to third reading.

Assembly Bill 1272—An act to add Section 11713.17 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1275—An act to repeal Sections 12012.25, 12012.75, and 12012.85 of, and to add Chapter 8 (commencing with Section 12720) to Part 2 of Division 3 of Title 2 of, the Government Code, relating to tribal gaming.

Bill read second time and ordered to third reading.

Assembly Bill 1431—An act to amend Section 1345 of the Health and Safety Code, and to amend Section 1759 of the Insurance Code, relating to insurance.

Bill read second time and ordered to third reading.

Assembly Bill 1655—An act to add Sections 1798.210, 1798.211, and 1799.112 to the Health and Safety Code, relating to emergency medical services.

Bill read second time and ordered to third reading.

Assembly Bill 1704—An act to amend Section 724.060 of the Code of Civil Procedure, to amend Sections 4014, 4202, 5002, 17400, 17406, 17432, and 17500 of, and to add Section 5003 to, the Family Code, to

amend Section 27282 of the Government Code, to amend Section 19271.6 of the Revenue and Taxation Code, and to amend Section 827 of the Welfare and Institutions Code, relating to family law.

Bill read second time and ordered to third reading.

Assembly Bill 1721—An act to amend Section 12024.2 of the Business and Professions Code, relating to prices.

Bill read second time and ordered to third reading.

Assembly Bill 1847—An act to add Section 22651.05 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1854—An act to amend, repeal, and add Section 24400 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1969—An act to add Sections 89500.7 and 92611.7 to the Education Code, relating to public postsecondary education.

Bill read second time and ordered to third reading.

Assembly Bill 2021—An act to amend Sections 25214.12, 25214.13, 25214.14, 25214.15, 25214.16, and 25214.19 of, to amend and renumber the heading of Article 10.3 (commencing with Section 25214.11) of Chapter 6.5 of Division 20 of, and to add Sections 25214.17 and 25214.21 to, the Health and Safety Code, relating to hazardous waste.

Bill read second time and ordered to third reading.

Assembly Bill 2030—An act to amend Section 30458.3 of, and to add Section 30459.8 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 2254—An act to add Section 25250.22 to the Health and Safety Code, relating to hazardous waste.

Bill read second time and ordered to third reading.

Assembly Bill 2317—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

Bill read second time and ordered to third reading.

Assembly Bill 2339—An act to amend Sections 33007, 66602, and 92030 of the Education Code, relating to education governance.

Bill read second time and ordered to third reading.

Assembly Bill 2350—An act to amend Sections 7300.1, 7300.3, 7300.4, 7301.1, 7301.5, 7309.1, 7310, 7311, 7311.1, 7311.2, 7311.3, 7311.4, 7313, 7315, 7316, and 7324 of the Labor Code, relating to safety in employment.

Bill read second time and ordered to third reading.

Assembly Bill 2390—An act to amend Sections 1657, 1658, and 1658.2 of, and to add Section 1625.1 to, the Business and Professions Code, relating to the healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 2403—An act to amend Section 647.7 of, and to add Section 647.05 to the Penal Code, relating to crime.

Bill read second time and ordered to third reading.

Assembly Bill 2412—An act to amend Section 1142 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time and ordered to third reading.

Assembly Bill 2429—An act to amend Section 1375.7 of the Health and Safety Code, relating to health care service plans.

Bill read second time and ordered to third reading.

Assembly Bill 2454—An act to amend Section 11302 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Assembly Bill 2464—An act to amend Sections 3013, 3014, 3016, 3017, 3018, 3019, 3023, 3027, 3040, 3042, 3044, 3045, 3054, 3059, 3070, and 3076 of, to add Sections 3003, 3004, 3005, 3006, 3025.1, 3025.2, 3025.7, 3028, 3041.1, 3046, and 3071 to, to repeal Sections 3012, 3015, 3020, 3021, 3022, 3023.1, 3026.5, 3027.5, 3029, 3047, 3050, and 3052 of, and to repeal and add Sections 3000, and 3055 of, the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 2480—An act to repeal and add Section 19170 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2580—An act to amend Sections 297.5 and 299 of the Family Code, and to amend Section 14771 of the Government Code, relating to domestic partnerships.

Bill read second time and ordered to third reading.

Assembly Bill 2581—An act to amend Section 65863.7 of the Government Code, relating to mobilehome parks.

Bill read second time and ordered to third reading.

Assembly Bill 2613—An act to add Section 1812.117 to the Civil Code, relating to discount buying organizations.

Bill read second time and ordered to third reading.

Assembly Bill 2717—An act relating to water conservation.

Bill read second time and ordered to third reading.

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of, and to add Section 16131.5 to, the Welfare and Institutions Code, relating to children.

Bill read second time and ordered to third reading.

Assembly Bill 2810—An act to amend Section 4612 of the Public Resources Code, relating to forest resources.

Bill read second time and ordered to third reading.

Assembly Bill 2811—An act to amend Sections 7100 and 7105 of the Health and Safety Code, relating to human remains.

Bill read second time and ordered to third reading.

Assembly Bill 2871—An act to amend Section 11364.7 of, and to add Chapter 18 (commencing with Section 121349) to Part 4 of Division 105 of, the Health and Safety Code, relating to clean needle and syringe exchange projects.

Bill read second time and ordered to third reading.

Assembly Bill 2873—An act to add Article 6 (commencing with Section 18973) to Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code, relating to child abuse prevention.

Bill read second time and ordered to third reading.

Assembly Bill 2878—An act to amend Section 25510 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time and ordered to third reading.

Assembly Bill 2885—An act to add Section 32289 to, and to repeal Section 35294.95 of, the Education Code, relating to school safety.

Bill read second time and ordered to third reading.

Assembly Bill 2897—An act to amend Sections 7500, 7503, 7510, 7511, and 7515 of, and to repeal Section 7555 of the Penal Code, relating to prisoners, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2916—An act to amend Sections 35171, 35221, and 35231 of the Food and Agricultural Code, relating to milk products.

Bill read second time and ordered to third reading.

Assembly Bill 2973—An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 3000—An act to amend Sections 1012 and 1012.2 of the Military and Veterans Code, relating to veterans homes.

Bill read second time and ordered to third reading.

Assembly Bill 3015—An act to amend Section 1064 of the Government Code, relating to military service.

Bill read second time and ordered to third reading.

Assembly Bill 3027—An act to amend Sections 112685, 112845, and 112850 of the Health and Safety Code, relating to canneries.

Bill read second time and ordered to third reading.

Assembly Bill 3044—An act to add Section 1264 to the Health and Safety Code, relating to prenatal testing.

Bill read second time and ordered to third reading.

Assembly Bill 3095—An act to amend Section 368 of the Penal Code, relating to elder abuse.

Bill read second time and ordered to third reading.

Assembly Concurrent Resolution 177—Relative to the University of California.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 189—Relative to the Bernie Richter Memorial Highway.

Resolution read second time and ordered to third reading.

Assembly Bill 911—An act to add Section 653y to the Penal Code, relating to public safety 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 1369—An act to add Article 10.2.1(commencing with Section 25214.8.1) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

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 1711—An act to amend Sections 6028, 6140.7, and 17536.5 of the Business and Professions Code, relating to legal proceedings.

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 2185—An act to add Section 1367.06 to the Health and Safety Code, relating to health care coverage.

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 2289—An act to add Section 1375 to the Health and Safety Code, and to add Section 10123.671 to the Insurance Code, relating to health care.

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 2676—An act to amend Section 21661.5 of the Public Utilities Code, relating to airports.

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 2759—An act to add Section 1366.2 to the Health and Safety Code, and to add Section 10127.18 to the Insurance Code, relating to health care.

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 2738—An act to add and repeal Section 13302.5 of the Government Code, relating to state electronic payment systems.

Bill read second time and ordered to third reading.

Assembly Bill 2840—An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

Bill read second time and ordered to third reading.

Assembly Bill 2715—An act to add Chapter 33 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to telemarketing.

Bill read second time and ordered to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on the next legislative day.

AB 2376	AB 2254	AB 2807	ACR 177
AB 2869	AB 2350	AB 2811	ACR 189
AB 1667	AB 2390	AB 2873	AB 911
AB 2834	AB 2403	AB 2878	AB 2759
AB 340	AB 2429	AB 2885	AB 2840
AB 675	AB 2464	AB 2897	SCR 78
AB 1704	AB 2480	AB 3000	SCR 84
AB 2030	AB 2613	AB 3095	

REQUEST FOR UNANIMOUS CONSENT (AB 2286)

Senator McPherson asked for, and was granted, unanimous consent that AB 2286 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 2286

Assembly Bill 2286—An act to amend Section 44468 of the Education Code, relating to credentials.

Bill read second time.

Motion to Amend

Amendments to AB 2286 proposed by Senator McPherson were read and adopted and the measure ordered printed and re-referred to the Committee on Appropriations.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2055—An act to amend Sections 65302, 65560, 65561, 65562, 65564, and 65566 of, and to add Section 65565 to, the Government Code, relating to land use.

Bill read third time.

Amendments Adopted

Amendments to AB 2055 proposed by Senator Machado were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1554—An act to amend Sections 14002.3, 41320, 41320.2, 41327, and 41328 of, to add Article 2.7 (commencing with Section 41329.50) to Chapter 3 of Part 24 of, and to repeal Sections 41323 and 41324 of, the Education Code, and to add Article 9 (commencing with Section 63049.67) to Chapter 2 of Division 1 of Title 6.7 of the Government Code, relating to school finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 1554 proposed by Senator Alpert were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Constitutional Amendments**

SCA 9—Be adopted and re-refer to Committee on Appropriations

AYES (3)—Senators Bowen, Burton, and Escutia.

NOES (2)—Senators McClintock and Poochigian.

Date of Hearing: 7/14/04

Poochigian (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Battin, Denham, Florez, Hollingsworth, Machado, Murray, Oller, Romero, and Speier.

The following Senators were granted leaves of absence for the day due to personal business: Senators Brulte, Figueroa, Karnette, Kuehl, Margett, and Vasconcellos.

The following Senators were granted leaves of absence for the day due to family illness: Senators Dunn and Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Sher.

REQUEST TO ADJOURN IN MEMORIAM

Senator Alarcón requested that when the Senate adjourns this day it do so in memory of Sharon Pike of Sun Valley.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 10 a.m., Thursday, July 15, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, July 15, 2004

The Senate met at 10 a.m.
Hon. Dede Alpert, of the 39th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Hollingsworth, Johnson, Machado, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson—28.
Quorum present.

(NOTE: Senators Alarcón, Brulte, Florez, and Kuehl will be excused this day on legislative business, Senators Figueroa, Karnette, Margett, and Vasconcellos will be excused this day on personal business, Senators Dunn and Vincent will be excused this day due to family illness, and Senator Bowen will be excused this day due to illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

God of Power and Mercy, There is no power for good which does not come from You and no promise to hope in that Your love has not offered. Only with Your help can we offer You fitting service and praise. Strengthen us that we may carry out Your commands.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Romero led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, July 14, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 1936

AB 3047

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1936—An act to add Chapter 6 (commencing with Section 51960) to Part 2 of Division 1 of Title 5 of the Government Code, to amend Section 50826 of the Health and Safety Code, to amend Section 4127 of the Public Resources Code, and to amend Section 2400 of the Vehicle Code, relating to local government organization.

Bill read second time.

Assembly Bill 3047—An act to amend Sections 302, 470, 527, 30914, and 30914.5 of the Streets and Highways Code, and to amend Sections 5201, 5751.5, 9250.7, 12810, 22670, 22710, 22851.2, 22851.4, 22851.6, 22851.8, 22851.10, and 22852 of the Vehicle Code, relating to transportation.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, July 15, 2004

Madam President: The Committee on Rules has examined:

SB 111	SB 1150	SB 1358	SB 1826
SB 409	SB 1236	SB 1626	SB 1832
SB 651	SB 1277	SB 1663	SB 1880
SB 1130	SB 1314	SB 1746	

And reports that the same have been correctly enrolled, and presented to the Governor on the 15th day of July, 2004, at 10 a.m.

BURTON, Chair

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 2055—An act to amend Sections 65302, 65560, 65561, 65562, 65564, and 65566 of, and to add Section 65565 to, the Government Code, relating to land use.

Bill read second time and ordered to third reading.

Assembly Bill 1554—An act to amend Sections 14002.3, 41320, 41320.2, 41327, and 41328 of, to add Article 2.7 (commencing with Section 41329.50) to Chapter 3 of Part 24 of, and to repeal Sections 41323 and 41324 of, the Education Code, and to add Article 9 (commencing with Section 63049.67) to Chapter 2 of Division 1 of Title 6.7 of the Government Code, relating to school finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

MOTION TO REFER MEASURE TO INACTIVE FILE

Senator Romero moved that **AB 2350** be placed on the inactive file.
Motion carried.

CONSENT CALENDAR

Objection Raised

Senator Battin objected to **ACR 189** being on the Special Consent Calendar.

The President ordered the above measure placed on the third reading file.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Alarcón, Brulte, Florez, and Kuehl.

The following Senators were granted leaves of absence for the day due to personal business: Senators Figueroa, Karnette, Margett, and Vasconcellos.

The following Senators were granted leaves of absence for the day due to a family illness: Senators Dunn and Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 10:26 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to

conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, July 19, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, July 15, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 338	AB 1324	AB 2628	AB 2860
AB 655	AB 1841	AB 2706	AB 2880
AB 780	AB 2213	AB 2724	AB 2909
AB 1187	AB 2567	AB 2760	

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 338—An act to add Section 42703 to the Public Resources Code, relating to recycling.

Bill read second time.

Assembly Bill 655—An act to add Section 66901.5 to, to add Chapter 11.1 (commencing with Section 66910) to Part 40 of, and to repeal Sections 66903, 66904, and 67002 of, the Education Code, relating to postsecondary education.

Bill read second time.

Assembly Bill 780—An act to amend Sections 35542, 35705.5, 35706, 35707, 35709, 35710, 35710.5, 35710.51, 35722, 35750, 35751, 35753, 35754, 35755, and 35756 of, and to amend the heading of Article 4 (commencing with Section 35750) of Chapter 4 of Part 21 of, the Education Code, relating to school districts.

Bill read second time.

Assembly Bill 1187—An act to add Part 5.6 (commencing with Section 11160) to Division 2 of the Revenue and Taxation Code, relating to local government finance.

Bill read second time.

Assembly Bill 1324—An act to add Section 3212.86 to the Labor Code, relating to workers' compensation.

Bill read second time.

Assembly Bill 1841—An act to add Sections 52055.56 and 52055.658 to the Education Code, relating to high schools.

Bill read second time.

Assembly Bill 2213—An act to add and repeal Part 9.5 (commencing with Section 2550) of Division 2 of the Labor Code, relating to janitorial service contractors.

Bill read second time.

Assembly Bill 2567—An act to add Sections 17071.50 and 17462.8 to the Education Code, relating to school facilities.

Bill read second time.

Assembly Bill 2628—An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2706—An act to amend Sections 51870, 51871.5, 52295.20, 52295.25, and 52295.30 of, to amend, repeal, and add Section 52295.35 of, to repeal Sections 51871.3 and 51871.4 of, and to add Section 52292.36 to, the Education Code, relating to education technology.

Bill read second time.

Assembly Bill 2724—An act to amend Sections 69980, 69982, 69983, 69986, 69990, and 94110 of, and to add Section 94140.3 to, the Education Code, relating to postsecondary education, and making an appropriation therefor.

Bill read second time.

Assembly Bill 2760—An act to amend Sections 1053, 1055, 1055.1, 1055.5, 1056, 1060, 7151, 7360, 7920, 8235, 8392, 8597, 13005, 15103, and 15104 of, and to add Sections 1055.4, 9027, 9027.5, and 9029.5 to, the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Bill read second time.

Assembly Bill 2860—An act to amend Sections 60607 and 60641 of the Education Code, relating to pupils.

Bill read second time.

Assembly Bill 2880—An act to amend Sections 41081, 44225, and 44229 of the Health and Safety Code, and to amend Section 9250.2 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2909—An act to amend Section 95016 of, and to add Section 95029.5 to, the Government Code, relating to early intervention services.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Senate Chamber, July 15, 2004

Madam President: The Chair of the Committee on Appropriations, to which was referred:

AB 107

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, July 15, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 2066

AB 2841

AB 3079

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2066—An act to amend Sections 52055.54 and 52055.650 of, and to add Article 3.1 (commencing with Section 52055.56) to Chapter 6.1 of Part 28 of, the Education Code, relating to schools, and making an appropriation therefor.

Bill read second time.

Assembly Bill 2841—An act to amend Sections 5019, 5020, 35531, 35542, 35555, 35565, 35566, 35570, 35709, 35710, 35710.5, 35722, 35753, 35756, and 35765 of, and to add Sections 35517, 35710.1, 35736.5, and 35784.5 to, the Education Code, and to amend Sections 54901 and 54902 of, and to repeal Section 54903.1 of, the Government Code, relating to school districts.

Bill read second time.

Assembly Bill 3079—An act to amend Sections 3110.5, 6222, and 7120 of the Family Code, to amend Sections 6103.2, 68085, 68115, 68502.7, 68926, 68927, 71622, 72190, and 77006.5 of, and to repeal Section 72407 of, the Government Code, and to amend Sections 366.21 and 16010.6 of the Welfare and Institutions Code, relating to the courts.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 969—An act to amend Sections 17700, 53511, and 53601 of the Government Code, relating to local agency financing.

Bill read third time.

Amendments Adopted

Amendments to AB 969 proposed by Senator Torlakson were read and adopted and the measure ordered printed and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Burton requested that when the Senate adjourns this day it do so in memory of Minerva Frances Duket, of Sacramento.

Senator Cedillo requested that when the Senate adjourns this day it do so in memory of Juanita Tate of Los Angeles.

Senator Ducheny requested that when the Senate adjourns this day it do so in memory of Maria Garcia and Bill Standiford of El Centro.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Peter Van Gaale of Murrieta.

Senator Johnson requested that when the Senate adjourns this day it do so in memory of June Cooper of West Sacramento.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Mike Cox of Tracy and Army Specialist William Emanuel IV of Stockton.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Hagop "Jack" Abdulian of Studio City, John Emerzian of Fresno and Dwight Johnson of Orangevale.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Herb Uffer of San Bernardino.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 3 p.m., Monday, July 19, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, July 19, 2004

The Senate met at 3 p.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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:
Ackerman, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, Morrow, Murray, Oller, Ortiz, Perata, Pochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—33.

Quorum present.

(NOTE: Senators Alarcón and McPherson will be excused this day on legislative business, Senators Aanestad, Ashburn, and Margett will be excused this day on personal business, and Senator Vincent will be excused this day due to family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Lord, In the midst of our frustration, let us call to mind the Gospel according to Thumper's father: "If you can't say something nice, don't say anything at all."—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Florez led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 15, 2004

To the Members of the California Senate:

I am returning **Senate Bill 1142** without my signature.

This bill would authorize school districts operating a 4-day week schedule to be eligible for longer year incentive funding, even though their schools are in session fewer than 180 days per year.

Granting longer year incentive funding without the requirement that districts provide the necessary 180 days of instruction would defeat the objective of the incentive funding program. It would be inequitable for districts that do provide the additional instructional time and the two school districts that currently operate a 4-day week already receive per-pupil funding at levels significantly higher than the statewide average.

For these reasons, I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bill

I acknowledge receipt this 16th day of July 2004 at 11:55 a m., of SB 1142 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

PAULA ROSSETTO
Assistant Secretary of the Senate

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, June 28, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2790

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, July 19, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 20	AB 1569	AB 2201	AB 2691
AB 164	AB 1865	AB 2307	AB 2709
AB 488	AB 1914	AB 2326	AB 2722
AB 649	AB 1953	AB 2400	AB 2750
AB 816	AB 1963	AB 2431	AB 2752
AB 1000	AB 2019	AB 2527	AB 2753
AB 1408	AB 2086	AB 2554	AB 2921
AB 1520	AB 2179	AB 2565	AB 3010

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 20—An act to amend Sections 710, 765, 767, and 1109, of, and to add Section 177 to, the Evidence Code, and to amend Sections 288, 502.9, 515, 525, 859.1, 861.5, 868.7, 939.21, 1347.5, and 11166, of, and to add Section 1127g to, the Penal Code, and to amend Section 15630 of the Welfare and Institutions Code, relating to crime.

Bill read second time.

Assembly Bill 164—An act to amend Sections 44510, 44511, 44513, and 44517 of the Education Code, relating to teachers.

Bill read second time.

Assembly Bill 488—An act to add Section 290.46 to the Penal Code, relating to sex offenders.

Bill read second time.

Assembly Bill 649—An act to add Section 4501.3 to the Welfare and Institutions Code, relating to developmental services.

Bill read second time.

Assembly Bill 816—An act to amend Sections 64000 and 64001 of the Education Code, relating to categorical education programs.

Bill read second time.

Assembly Bill 1000—An act to amend Sections 1502 and 2117 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend

Section 12186 of the Government Code, relating to corporations, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1408—An act to amend Sections 8670.25.5 and 51018 of the Government Code, relating to oil and hazardous liquids.

Bill read second time.

Assembly Bill 1520—An act to add Chapter 8.7 (commencing with Section 1370) to Division 6 of the Military and Veterans Code, relating to veterans' memorials.

Bill read second time.

Assembly Bill 1569—An act to add Article 2.5 (commencing with Section 118947) to Chapter 4 of Part 15 of Division 104 of the Health and Safety Code, relating to public health.

Bill read second time.

Assembly Bill 1865—An act to add Section 3069 to the Penal Code, relating to parole.

Bill read second time.

Assembly Bill 1914—An act to amend Section 32500 of, and to add Sections 32501, 32502, and 32503 to, the Education Code, and to repeal Section 2053.4 of the Penal Code, relating to education in state prisons.

Bill read second time.

Assembly Bill 1953—An act to amend Sections 15006 and 15027 of, and to add Section 15027.1 to, of the Insurance Code, relating to public insurance adjusters.

Bill read second time.

Assembly Bill 1963—An act to amend Sections 1179.1, 104105, 104120, 104317, 104318, 104564, 105285, 120800, and 123515 of, and to add Sections 152.1 and 104250 to, the Health and Safety Code, relating to public health.

Bill read second time.

Assembly Bill 2019—An act to add Section 68553.3 to the Government Code, and to add Sections 711, 712, 713, and 714 to the Welfare and Institutions Code, relating to minors.

Bill read second time.

Assembly Bill 2086—An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Assembly Bill 2179—An act to amend Sections 14043.1 and 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Assembly Bill 2201—An act to add Section 3322 to the Civil Code, to amend Section 7236 of the Revenue and Taxation Code, and to amend Sections 22507.5, 23114, and 34501.12 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2307—An act to add Article 2.6 (commencing with Section 1222) to Chapter 1 of Division 2 of the Health and Safety Code, relating to health care providers.

Bill read second time.

Assembly Bill 2326—An act to add Section 1368.021 to the Health and Safety Code, relating to prescription drugs.

Bill read second time.

Assembly Bill 2400—An act to add Section 27298 to the Government Code, and to add Sections 100176 and 101031 to the Health and Safety Code, relating to unlawful methamphetamines laboratories.

Bill read second time.

Assembly Bill 2431—An act to amend Sections 12028, 12028.5, 12028.7, 12030, and 12084 of, and to add Section 12021.3 to, the Penal Code, and to repeal Section 8107 of the Welfare and Institutions Code, relating to firearms.

Bill read second time.

Assembly Bill 2527—An act to amend Section 290 of the Penal Code, relating to sex offender registration.

Bill read second time.

Assembly Bill 2554—An act to amend Sections 24216, 24216.5, and 24216.6 of the Education Code, relating to state teachers' retirement.

Bill read second time.

Assembly Bill 2565—An act to add and repeal Chapter 4.5 (commencing with Section 13998) of Part 4.7 of Division 3 of Title 2 of the Government Code, and to repeal Part 14 (commencing with Section 37980) of Division 24 of the Health and Safety Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 2691—An act to amend Section 22443.1 of, and to repeal Section 22442.4 of the Business and Professions Code, relating to immigration consultants.

Bill read second time.

Assembly Bill 2709—An act to amend Section 4000.37 of, and to add Sections 16058 and 16058.1 to, the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2722—An act to amend Section 37002 of, to add Section 37022.5 to, and to add Chapter 7 (commencing with Section 37030) to Division 28 of, the Public Resources Code, and to amend Sections 17053.30 and 23630 of, and to add Section 19560 to, the Revenue and Taxation Code, relating to conservation, and making an appropriation therefor.

Bill read second time.

Assembly Bill 2750—An act to add Section 273 to the Labor Code, relating to state employees

Bill read second time.

Assembly Bill 2752—An act to add Section 301.2 to the Corporations Code, relating to corporations.

Bill read second time.

Assembly Bill 2753—An act to amend Sections 22714, 22714.5, 24216, and 84040.5 of the Education Code, relating to state teachers' retirement

Bill read second time.

Assembly Bill 2921—An act to amend Sections 31001, 31119, 31125, 31300, 31402, 31403, 31405, 31410, and 31411 of, and to add Sections 31001.1, 31109, 31109.1, 31406, 31407, and 31408 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 3010—An act to add and repeal Section 81133.2 of the Education Code, relating to community colleges.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, July 16, 2004

Mr. President: The Committee on Rules has examined:

SCR 50	SCR 67	SCR 68
SCR 69	SCR 70	

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 16th day of July, 2004, at 1 p.m.

BURTON, Chair

Committee on Appropriations

Senate Chamber, July 19, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 379	AB 955	AB 1684	AB 2172
AB 2283	AB 2473	AB 3087	

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 379—An act to amend Section 8208 of, and to add Article 8.5 (commencing with Section 8245) to Chapter 2 of Part 6 of, the Education Code, relating to child development.

Bill read second time.

Assembly Bill 955—An act relating to state property.

Bill read second time.

Assembly Bill 1684—An act to amend Section 379.6 of the Public Utilities Code, relating to energy resources.

Bill read second time.

Assembly Bill 2172—An act to amend Section 14666.8 of the Government Code, to amend Section 280.5 of the Public Utilities Code, and to amend Section 1 of Chapter 820 of the Statutes of 2003, relating to telecommunications.

Bill read second time.

Assembly Bill 2283—An act to add Article 6.7 (commencing with Section 53128) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to telecommunications.

Bill read second time.

Assembly Bill 2473—An act to amend Section 714 of the Civil Code, to repeal and add Section 65850.5 of the Government Code, and to repeal and add Section 17959.1 of the Health and Safety Code, relating to solar energy.

Bill read second time.

Assembly Bill 3087—An act relating to emergency services.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, July 12, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 672

Reports the same back with the recommendation: Do pass as amended.
ALPERT, Chair

Above measure ordered to second reading.

Committee on Transportation

Senate Chamber, July 19, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

AB 1116

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 1116—An act to amend Section 1810.2 of the Vehicle Code, relating to vehicles, and declaring the 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 ASSEMBLY BILLS

Assembly Bill 107—An act to add Section 8600.5 to 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 969—An act to amend Sections 17700 , 53511, and 53601 of, and to add Section 6509.7 to, the Government Code, relating to local agency financing.

Bill read second time and ordered to third reading.

Senator Bowen Presiding

UNFINISHED BUSINESS

Consideration of Governor's Appointment

Senator Burton placed the following Governor's appointment before the Senate:

Jeanne S. Woodford, Director, Department of Corrections.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (33)—Senators Ackerman, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Burton placed the following Governor's appointment before the Senate:

Roderick Hickman, Secretary, Youth and Adult Correctional Agency.

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (32)—Senators Ackerman, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

CONSENT CALENDAR**Objections Raised**

Without objection **AB 2030** was removed from the Special Consent Calendar.

Senator Brulte objected to **AB 2464** being on the Special Consent Calendar.

The President ordered the above measures placed on the third reading file.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1667—An act to amend Section 803 of, to add Sections 801.1, and 803.6 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read third time.

Amendments Adopted

Amendments to AB 1667 proposed by Senator McPherson were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2451—An act to repeal Section 11382 of the Elections Code, relating to elections.

Bill read third time.

Amendments Adopted

Amendments to AB 2451 proposed by Senator Ortiz were read and adopted and the measure ordered printed and to Committee on Rules.

Assembly Bill 3015—An act to amend Section 1064 of the Government Code, relating to military service.

Bill read third time.

Amendments Adopted

Amendments to AB 3015 proposed by Senator Denham were read and adopted and the measure ordered printed and to second reading.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 655** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

AB 2708 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Alarcón and McPherson.

The following Senators were granted leaves of absence for the day due to personal business: Senators Aanestad, Ashburn, and Margett.

The following Senator was granted leave of absence for the day due to family illness: Senator Vincent.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 4:35 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess. The Desk shall remain open to receive communications and to conduct the business of the day. At 5 p.m., the Senate will adjourn until Tuesday, July 20, 2004.

Motion carried.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Wanda Draper and John Sevetick of Long Beach.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Philip Tyler Querio of Oakland.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Tom Ruby of Sacramento.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Sheriff Deputy David P. Grant of Sonora.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Julian Cordova of San Bernardino.

ADJOURNMENT

At 5 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, July 20, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, July 20, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Ackerman, Alarcón, Alpert, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Kuehl, Machado, McClintock, McPherson, Murray, Perata, Poochigian, Romero, Scott, Soto, Speier, and Vasconcellos—26.

Quorum present.

(NOTE: Senators Ashburn, Battin, Denham, Hollingsworth, Karnette, Oller, and Torlakson will be excused this day on legislative business, Senators Aanestad, Margett, Morrow, and Ortiz will be excused this day on personal business, and Senators Sher and Vincent will be excused this day due to family illness.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 19, 2004

To the Members of the California Senate:

I am returning **Senate Bill 1177** without my signature.

While I support the author's goal of gun violence education, current law already encourages schoolsite councils to consider incorporating a "no tolerance for violence policy" and a "no guns allowed policy" into school safety plans.

While this bill would encourage schoolsite councils to consider including gun violence prevention in high school health education

programs, the Health Curriculum Framework adopted by the State Board of Education already addresses gun safety and violence prevention instruction. Therefore, schools may presently integrate these concepts into lesson plans.

I respect and support the ability of the local governing bodies to ensure students receive the appropriate level of education on these important topics without further legislative reminder.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

July 19, 2004

To the Members of the California Senate:

I am returning **Senate Bill 1493** without my signature.

This bill undermines local health officers' ability to enforce the Public Swimming Pool Safety Act (Act) by restricting their authority to determine whether or not a facility is a public swimming pool. This measure preempts local control by exempting all geothermal pools that meet specific standards from the health and safety protections governing public swimming pools.

To ensure the health and safety of these facilities, Department of Health Services administers regulations that require public pool operators to maintain proper disinfectant levels to prevent water-related illnesses, to have specific circulation and filtration requirements, and to post safety signage.

Circumventing local health officer control by exempting pools that receive water from geothermal sources would put those who use the pool, as well as the general public, at risk.

For these reasons, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

July 19, 2004

To the Members of the California Senate:

I am returning **Senate Bill 1494** without my signature.

This bill reverses an agreement that led to the passage of SB 420 (Vasconcellos) in 2003. That statute established quantity guidelines which gave patients and law enforcement clarity in the law with respect to possession of medicinal marijuana under Proposition 215. Reasonable and established quantity guidelines allow medicinal marijuana patients to seek

relief from symptoms free from legal questions and permit law enforcement to carry out the law.

Senate Bill 1494 removes the limitation on the amount of marijuana a qualified patient, person with an identification card, or primary caregiver can possess. Since the passage of Proposition 215, local governments have grappled with the interpretation of the voters' intent with respect to how much marijuana a patient may possess for medical use. Senate Bill 420 resolved this issue.

Enactment of this bill would create uncertainty in this area of the law thereby making it more difficult for law enforcement to determine when a person was in possession of marijuana for medicinal purposes pursuant to Proposition 215.

For these reasons, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

July 20, 2004

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Lenora S. Clark, retired postmaster, the United States Postal Service.

Appointed 7/8/04. Effective 7/20/04:

Member, Boating and Waterways Commission vice Michael Beatie, term expired, term ending 1/15/08.

Jon S. Fleischman, Deputy Director, Public Affairs and Media Relations, Orange County Sheriff's Department. Appointed 7/8/04. Effective 7/19/04:

Member, Boating and Waterways Commission vice Frederic A. Heim, term expired, term ending 1/15/08.

Charles P. "Bud" Johnson, President and Owner of Harborlight Enterprises, Inc. Appointed 7/8/04. Effective 7/15/04:

Member, Boating and Waterways Commission vice Pius Lee, withdrawn from Senate, term ending 1/15/07.

H. P. "Sandy" Purdon, President and Chief Executive Officer, H. P. Purdon & Company, Inc. Appointed 7/8/04. Effective 7/20/04:

Member, Boating and Waterways Commission vice Harry L. Nelson, deceased, term ending 1/15/06.

Above appointments referred to the Committee on Rules.

Receipt of Bills

I acknowledge receipt this 19th day of July 2004 at 5:18 p.m., of SB 1177, SB 1493 and SB 1494 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

WALTER LITTLE
Assistant Secretary of the Senate

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, July 16, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 99

AB 2876

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, July 16, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 79	AB 1878	AB 2186	AB 2629
AB 320	AB 1945	AB 2208	AB 2755
AB 1222	AB 2008	AB 2210	AB 2784
AB 1362	AB 2043	AB 2216	AB 2785
AB 1530	AB 2168	AB 2252	AB 2823
AB 1812	AB 2170	AB 2428	AB 712

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Date of Hearing, July 19, 2004

Mr. President: The Committee on Appropriations, to which were referred:

AB 2398	AB 2514	AB 2848
AB 2905	AB 3071	AB 3073

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Date of Hearing, July 19, 2004

Mr. President: The Committee on Appropriations, to which was referred:

SCA 9

Reports the same back with the recommendation: Be adopted as amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, July 20, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2533

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, July 20, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2686

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, July 20, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 1829

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1829—An act to amend Section 5703 of the Government Code, and to add Chapter 3.55 (commencing with Section 12140) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Natural Resources and Wildlife

Date of Hearing, June 29, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 1583

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measure ordered to second reading.

Date of Hearing, June 29, 2004

Mr. President: The Committee on Natural Resources and Wildlife, to which was referred:

AB 1185

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

KUEHL, Chair

Above measure ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 2790—An act to amend Sections 4004, 9283, 9285, 10221, 10226, 10262, 10263, 10403.5, 12111, 13113, 17100, and 17304 of the Elections Code, and to amend Section 36801 of the Government Code, relating to elections.

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 672—An act to amend Section 51504 of the Health and Safety Code, relating to affordable housing, 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 1667—An act to amend Section 803 of, to add Sections 801.1 and 803.6 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read second time and ordered to third reading.

Assembly Bill 3015—An act to amend Section 1064 of the Government Code, relating to military service.

Bill read second time and ordered to third reading.

MEASURE GIVEN SECOND READING

Without objection, SCA 9 was given its second reading upon being reported by committee.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Constitutional Amendment 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 15 of Article XI thereof, by adding Section 25.5 to Article XIII thereof, and by amending Section 6 of Article XIII B thereof, relating to local government finance.

Resolution read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

Assembly Bill 2339—An act to amend Sections 33007, 66602, and 92030 of the Education Code, relating to education governance.

Bill read third time.

Amendments Adopted

Amendments to AB 2339 proposed by Senator Karnette were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2254—An act to add Section 25250.22 to the Health and Safety Code, relating to hazardous waste.

Bill read third time.

Amendments Adopted

Amendments to AB 2254 proposed by Senator McPherson were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2281—An act to amend Sections 1179.1, 1179.2, and 1179.5 of, and to amend the heading of Part 5 (commencing with Section 1179) of Division 1 of, the Health and Safety Code, relating to rural health.

Bill read third time.

Amendments Adopted

Amendments to AB 2281 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to second reading.

**SENATE COMMITTEE ROLL CALLS
Committee on Appropriations**

SCA 9—Motion to place on Appropriations suspense file refused

AYES (3)—Senators Battin, Johnson, and Poochigian.

NOES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

Failed passage

SCA 9—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Murray, and Speier.

NOES (4)—Senators Battin, Johnson, Machado, and Poochigian.

AB 658—Do pass as amended

AYES (7)—Senators Battin, Burton, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (2)—Senators Escutia and Johnson.

AB 1994—Do pass as amended

AYES (7)—Senators Alpert, Battin, Bowen, Escutia, Machado, Murray, and Poochigian.

NOES (1)—Senator Johnson.

AB 2106—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Battin, Johnson, and Poochigian.

AB 2128—Do pass as amended

AYES (9)—Senators Alpert, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, and Speier.

NOES (1)—Senator Battin.

AB 2398—Do pass

AYES (8)—Senators Alpert, Battin, Bowen, Johnson, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

AB 2514—Do pass

AYES (7)—Senators Alpert, Bowen, Burton, Johnson, Karnette, Machado, and Murray.

NOES (1)—Senator Battin.

AB 2848—Do pass

AYES (9)—Senators Alpert, Battin, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (1)—Senator Bowen.

AB 2905—Do pass

AYES (8)—Senators Alpert, Battin, Bowen, Johnson, Karnette, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 3071—Do pass

AYES (10)—Senators Alpert, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 3073—Do pass

AYES (10)—Senators Alpert, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

Date of Hearing: 7/19/04

Alpert (Chair)

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Ashburn, Battin, Denham, Hollingsworth, Karnette, Oller, and Torlakson.

The following Senators were granted leaves of absence for the day due to personal business: Senators Aanestad, Margett, Morrow, and Ortiz.

The following Senators were granted leaves of absence for the day due to family illness: Senators Sher and Vincent.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 10 a.m., Wednesday, July 21, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-THIRD LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, July 21, 2004

The Senate met at 10 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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:
Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—35.

Quorum present.

(NOTE: Senators Aanestad, Ashburn, and Margett will be excused this day on personal business and Senator Morrow will be excused this day due to family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Loving and Caring God, In You we find all that we need. In You we are fed. In You we are heard. In You we are truly alive. Let Your Spirit flow over and through us as we turn to You in our need, drawing us closer to You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Ducheny led the Senate in the pledge of allegiance to the Flag.

CONFERENCE COMMITTEE REPORTS RECEIVED

Senate Chamber, Received at Desk: July 20, 2004

Mr. President: The Committee on Conference has met concerning:

Assembly Bill 1749, as amended in Senate July 27, 2003, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

WESLEY CHESBRO	DARRELL STEINBERG
DEDE ALPERT	JUDY CHU

Senate Committee on Conference	Assembly Committee on Conference
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The undersigned Members dissenting to the report:

ROSS JOHNSON	RICK KEENE
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Senate Committee on Conference	Assembly Committee on Conference
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REPORTS OF STANDING COMMITTEES
Committee on Health and Human Services

Date of Hearing, June 30, 2004

Mr. President: The Committee on Health and Human Services, to which was referred:

AB 1298

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ORTIZ, Chair

Above measure ordered to second reading.

Committee on Appropriations

Senate Chamber, July 21, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1839	AB 2554
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Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 1839—An act to amend Sections 2982 and 2982.5 of, and to add Sections 1793.27 and 2982.2 to, the Civil Code, and to amend Section 11709.2 of the Vehicle Code, relating to consumers.

Bill read second time.

Assembly Bill 2554—An act to amend Sections 24216, 24216.5, and 24216.6 of the Education Code, relating to state teachers’ retirement.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Senate Chamber, July 16, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 1988

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, July 21, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2586

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

Date of Hearing, July 19, 2004

Mr. President: The Committee on Appropriations, to which were referred:

AB 658 AB 1994 AB 2106 AB 2128

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, July 21, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 50 AB 382 AB 594 AB 2868

Reports the same back with author’s amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 50—An act to amend Sections 245, 12011, 12022, 12022.5, 12275, 12275.5, 12280, 12285, 12286, 12287, 12288, 12288.5, 12289, and 12290 of, and to add Section 12278 to, the Penal Code, relating to firearms.

Bill read second time.

Assembly Bill 382—An act to amend Section 17133 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Assembly Bill 594—An act to add Section 2851 to the Public Utilities Code, relating to solar energy systems, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 2868—An act to amend Section 1632 of the Civil Code, and to add Division 24 (commencing with Section 70000) to the Financial Code, relating to loans.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 99—An act to amend Section 977.2 of the Penal Code, relating to criminal procedure.

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 2876—An act to add Section 128766 to the Health and Safety Code, relating to health facilities.

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 79—An act to add and repeal Section 7550.5 of the Government Code, relating to public agencies, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 320—An act to add Section 143.5 to the Business and Professions Code, relating to professions and vocations.

Bill read second time and ordered to third reading.

Assembly Bill 712—An act to amend Sections 132400, 132410, and 132415 of, and to amend the heading of Chapter 6 (commencing with

Section 132400) of Division 12.7 of, the Public Utilities Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 1222—An act to add Section 5626.3 to the Public Resources Code, relating to parks and recreation, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1362—An act to amend Section 1299.3 of the Code of Civil Procedure, relating to public employees.

Bill read second time and ordered to third reading.

Assembly Bill 1530—An act to amend Sections 3412, 3417, 3418, and 3419 of the Penal Code, relating to prisoners.

Bill read second time and ordered to third reading.

Assembly Bill 1812—An act to amend Section 12804.9 of, and to amend, repeal, and add Section 12517.2 of, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1878—An act to amend Sections 407.5, 12500, 12509, 12804.9, 21225, and 21235 of, and to add Section 21226 to, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1945—An act to amend Section 1569.616 of the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time and ordered to third reading.

Assembly Bill 2008—An act to amend Sections 2854, 2883, and 4504 of the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 2043—An act to add Section 1760 to the Harbors and Navigation Code, relating to ports.

Bill read second time and ordered to third reading.

Assembly Bill 2168—An act to amend Sections 7362, 7390, 7391, 7392, 7393, 7394, and 7395 of, and to add Section 7423.5 to, the Business and Professions Code, relating to barbering and cosmetology.

Bill read second time and ordered to third reading.

Assembly Bill 2170—An act to amend Sections 7500.2, 7507.3, 7507.9, 7507.10, and 7508.2 of, to add Section 7505.2 to, to repeal Section 7506 of, and to repeal and add Section 7500.1 of, the Business and Professions Code, relating to repossession agencies.

Bill read second time and ordered to third reading.

Assembly Bill 2186—An act to amend Section 66907.7 of the Government Code, relating to natural resources.

Bill read second time and ordered to third reading.

Assembly Bill 2208—An act to amend Section 1374.58 of the Health and Safety Code, and to amend Section 10121.7 of, and to add Section 381.5 to, the Insurance Code, relating to domestic partners.

Bill read second time and ordered to third reading.

Assembly Bill 2210—An act to amend Section 44259 of the Education Code, relating to teachers, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2216—An act to amend Section 7073 of, and to add Section 7069.1 to, the Business and Professions Code, and to amend Section 802 of the Penal Code, relating to contractors.

Bill read second time and ordered to third reading.

Assembly Bill 2252—An act to amend Sections 11000, 11000.1, 11004.5, 11018.1, and 11018.5 of, to add Chapter 2 (commencing with Section 11210) to Part 2 of Division 4 of, to repeal Sections 11004.6, 11018.8, 11018.9, 11018.10, 11018.11, and 11024 of, and to repeal Article 8.5 (commencing with Section 10250) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, to amend Sections 1365.1, 1367.1, 1689.5, and 1689.24 of the Civil Code, to amend Section 25021 of the Corporations Code, to amend Section 30610 of the Public Resources Code, and to amend Sections 998, 2188.8, 2188.9, and 7280 of the Revenue and Taxation Code, relating to time-share developments.

Bill read second time and ordered to third reading.

Assembly Bill 2428—An act to amend Section 422.95 of, and to add Sections 422.96 and 3053.4 to, the Penal Code, relating to hate crimes.

Bill read second time and ordered to third reading.

Assembly Bill 2629—An act to add Section 1566.75 to the Health and Safety Code, relating to community care facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2755—An act to add Section 7.3 to the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session), relating to the Ventura County Watershed Protection District.

Bill read second time and ordered to third reading.

Assembly Bill 2784—An act to amend Sections 130054.1 and 130054.8 of the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2785—An act to add Section 23125 to the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2823—An act to add Section 101.12 to the Streets and Highways Code, relating to highways.

Bill read second time and ordered to third reading.

Assembly Bill 2398—An act to amend Section 7097 of, and to add Section 7098 to, the Government Code, relating to economic development.

Bill read second time and ordered to third reading.

Assembly Bill 2514—An act to amend Section 21193 of, and to add Section 21193.5 to, the Public Resources Code, and to amend Sections 5106 and 5108 of, and to add Section 5112 to, the Vehicle Code, relating to natural resources.

Bill read second time and ordered to third reading.

Assembly Bill 2848—An act to amend Sections 285, 286, 296, 331.1, 331.2, 426, 672, 11701, 11704.5, 11710, and 11723 of the Vehicle Code, relating to all-terrain vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2905—An act to amend Section 832.9 of the Penal Code, relating to public safety officials.

Bill read second time and ordered to third reading.

Assembly Bill 3071—An act to amend Sections 18533 and 23802 of, and to repeal Section 7057 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 3073—An act to amend Section 17002 of the Corporations Code, and to amend Sections 69.4, 214, 214.01, 214.02, 214.5, 214.8, 214.14, 17076, 19191, 19192, and 19194 of, and to add Section 17049 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to third reading.

Assembly Bill 2533—An act to amend Section 8875.8 of the Government Code, relating to seismic safety.

Bill read second time and ordered to third reading.

Assembly Bill 2686—An act to add Sections 49571 and 49591 to the Education Code, relating to schools.

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 1583—An act to add Section 30238 to the Public Resources Code, relating to coastal resources.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1185—An act relating to parks.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Wildlife were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 2339—An act to amend Sections 33007 and 92030 of, and to add Section 66602.5 to, the Education Code, relating to education governance.

Bill read second time and ordered to third reading.

Assembly Bill 2254—An act to add Section 25250.22 to the Health and Safety Code, relating to hazardous waste.

Bill read second time and ordered to third reading.

Assembly Bill 2281—An act to amend Sections 1179.1, 1179.2, and 1179.5 of, and to amend the heading of Part 5 (commencing with Section 1179) of Division 1 of, the Health and Safety Code, relating to rural health.

Bill read second time and ordered to third reading.

Senator Romero Presiding

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing Labor and Industrial Relations Committee to meet and hear AB 3020, AB 3021, AB 3051 and ACR 213 without the 4 days notice in the Daily File.

CONSENT CALENDAR

Objection Raised

Senator Poochigian objected to **AB 2834** being on the Special Consent Calendar.

Senator Ortiz objected to **AB 2759** being on the Special Consent Calendar.

Senator Vasconcellos objected to **AB 3095** being on the Special Consent Calendar.

The President ordered the above measures placed on the third reading file.

CONFERENCE COMMITTEE REPORTS

Assembly Bill 1749—An act to amend Section 29550 of, and to repeal Section 29550.4 of, the Government Code, relating to booking fees, and declaring the urgency thereof, to take effect immediately.

The report of the Committee on Conference was presented by Senator Chesbro.

Urgency Clause

Urgency clause read.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Chesbro moved a call of the Senate.

Motion carried.

Senator Burton Presiding**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1749)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to AB 1749 was refused adoption by the following vote:

AYES (24)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Ackerman, Battin, Bowen, Brulte, Denham, Hollingsworth, Johnson, McClintock, McPherson, Oller, and Poochigian.

Motion to Reconsider

Senator Burton moved to reconsider the vote whereby the urgency clause to AB 1749 was refused adoption.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (35)—Senators Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Bill ordered returned to third reading.

GOVERNOR REQUESTED TO RETURN BILL

On the request of Senator McPherson, the Secretary of the Senate was requested to ask the Governor to return SB 651 to the Senate for further action.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 21, 2004

To the Members of the Senate:

Pursuant to your request, I am returning SB 651 for further action by the Senate.

Sincerely,

PAMELA K. OTO
Private Secretary of the Governor

UNANIMOUS CONSENT GRANTED TO RESCIND ACTION (SB 651)

Senator McPherson, asked for and was granted unanimous consent that the action be rescinded whereby the Senate concurred in Assembly amendments to SB 651 and that the measure be returned to the Assembly for further action.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to personal business: Senators Aanestad, Ashburn, and Margett.

The following Senator was granted leave of absence for the day due to family illness: Senator Morrow.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 1:45 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Thursday, July 22, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, July 21, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2431

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author’s Amendments

Assembly Bill 2431—An act to amend Sections 12028, 12028.5, 12028.7, 12030, and 12084 of, and to add Section 12021.3 to, the Penal Code, and to repeal Section 8107 of the Welfare and Institutions Code, relating to firearms.

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

Date of Hearing, July 21, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which were referred:

AB 3020 AB 3021

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

ALARCÓN, Chair

Above measures re-referred to the Committee on Appropriations.

Date of Hearing, July 21, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which was referred:

AB 3051

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

ALARCÓN, Chair

Above measure re-referred to the Committee on Judiciary.

Date of Hearing, July 21, 2004

Mr. President: The Committee on Labor and Industrial Relations, to which was referred:

ACR 213

Reports the same back with the recommendation: Be adopted.

ALARCÓN, Chair

Above resolution ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2464—An act to amend Sections 3013, 3014, 3016, 3017, 3018, 3019, 3023, 3027, 3040, 3042, 3044, 3045, 3054, 3059, 3070, and 3076 of, to add Sections 3003, 3004, 3005, 3006, 3025.1, 3025.2, 3025.7, 3028, 3041.1, 3046, and 3071 to, to repeal Sections 3012, 3015, 3020, 3021, 3022, 3023.1, 3026.5, 3027.5, 3029, 3047, 3050, and 3052 of, and to repeal and add Sections 3000, and 3055 of, the Business and Professions Code, relating to healing arts.

Bill read third time.

Amendments Adopted

Amendments to AB 2464 proposed by Senator Brulte were read and adopted and the measure ordered printed and to second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **ACR 228** was withdrawn from the Committee on Business and Professions and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS**Committee on Labor and Industrial Relations**

AB 3020—Do pass and re-refer to Cmte on APPR

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (1)—Senator McClintock.

AB 3021—Do pass and re-refer to Cmte on APPR

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (1)—Senator McClintock.

AB 3051—Do pass and re-refer to Cmte on JUD.

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (1)—Senator McClintock.

ACR 213—Be adopted

AYES (5)—Senators Alarcón, Dunn, Figueroa, Kuehl, and Romero.

NOES (0)—None.

Date of Hearing: 7/21/04

Alarcón (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Bowen requested that when the Senate adjourns this day it do so in memory of Jim Kizirian of Rancho Palos Verdes.

Senator Machado requested that when the Senate adjourns this day it do so in memory of Pfc. Jesse Jack Martinez of Tracy and William “Bill” Williams of Linden.

Senator McPherson requested that when the Senate adjourns this day it do so in memory of Arnold Wechter of Santa Cruz.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Alex Ian Bacon and Hovig Apo Saghdejian of Fresno.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Gail Chetcuti of San Mateo, Louis J. Kearn of Burlingame, and Edward John Venditti of South San Francisco.

July 21, 2004

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ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, July 22, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, July 22, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Ackerman, Alarcón, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, McClintock, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, and Vasconcellos—25.

Quorum present.

(NOTE: Senators Alpert, Brulte, Florez, Hollingsworth, McPherson, Oller, Poochigian, and Torlakson will be excused this day on legislative business, Senators Aanestad, Ashburn, and Margett will be excused this day on personal business, Senators Morrow and Vincent will be excused this day due to family illness, and Senator Speier will be excused this day due to illness.)

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
July 21, 2004

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment heretofore made by me to an office which by law is to be filled by the Governor. This appointment is subject to Senate confirmation and consent.

I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

William L. Gausewitz; former Assistant Vice President State Affairs for an insurance company. Appointed 7/21/04. Effective 8/2/04:

Director, Office of Administrative Law, vice Edward G. Heidig, withdrawn from Senate, term ending 1/7/07.

Above appointment referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, July 22, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 723 AB 2413 AB 2520 AB 3021

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 723—An act to amend Section 65891.8 of, to add Chapter 2.6 (commencing with Section 53369) to Part 1 of Division 2 of Title 5 of, and to add Article 5.5 (commencing with Section 63047.50) to Chapter 2 of Title 6.7 of, the Government Code, relating to jobs-housing opportunity zones.

Bill read second time.

Assembly Bill 2413—An act to add Chapter 5.5 (commencing with Section 60700) to Part 33 of the Education Code, relating to English learners.

Bill read second time.

Assembly Bill 2520—An act to amend Sections 1637 and 1639 of, and to add Article 16.3 (commencing with Section 1758.7) to Chapter 5 of Part 2 of Division 1 of the Insurance Code, relating to self-service storage agents.

Bill read second time.

Assembly Bill 3021—An act to amend Section 1088 of the Unemployment Insurance Code, relating to employment.

Bill read second time.

The amendments were read and adopted and the measures 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 Resolution 40: By Senator Ortiz—Relative to Health Care Decisions Week.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 1298—An act to amend Section 6276.22 of the Government Code, and to amend Sections 123853 and 125191 of the Health and Safety Code, relating to genetic diseases, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Health and Human Services were read and adopted and the measure ordered printed, and re-referred to the Committee on Appropriations.

Assembly Bill 1988—An act to add Section 38086 to the Education Code, relating to schools.

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 2586—An act to add Section 4019.1 to the Penal Code, relating to prisoners.

Bill read second time and ordered to third reading.

Assembly Bill 658—An act to add and repeal Article 13.5 (commencing with Section 18845) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to public health.

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 1994—An act to amend Section 18723 of the Revenue and Taxation Code, and to amend Sections 9203.5 and 9301 of, to add Section 9304.5 to, and to repeal Section 9206 of, the Welfare and Institutions Code, relating to the California Senior Legislature.

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 2106—An act to add Article 7.5 (commencing with Section 9147.1) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to

repeal Section 13305 of, the Government Code, relating to state government.

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 2128—An act to amend Section 44091.1 of, and to add Section 44125 to, the Health and Safety Code, relating to air pollution.

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 2464—An act to amend Sections 3013, 3014, 3016, 3017, 3018, 3019, 3023, 3027, 3040, 3042, 3044, 3045, 3054, 3059, 3070, 3076, and 3125 of, to add Sections 3003, 3004, 3005, 3006, 3025.1, 3025.2, 3025.7, 3028, 3041.1, and 3046 to, to repeal Sections 3012, 3015, 3020, 3021, 3022, 3023.1, 3026.5, 3027.5, 3029, 3047, 3050, and 3052 of, and to repeal and add Sections 3000, 3055, and 3075 of, the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on the next floor session.

AB 2676	AB 1945	AB 2784	AB 3073
AB 969	AB 2170	AB 2823	AB 2254
AB 3015	AB 2186	AB 2398	AB 2464
AB 2876	AB 2210	AB 2905	
AB 1530	AB 2755	AB 3071	

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2930—An act to amend Sections 3303 and 3304 of the Government Code, relating to public safety officers.

Bill read third time.

Amendments Adopted

Amendments to AB 2930 proposed by Senator McPherson were read and adopted and the measure ordered printed and to second reading.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Alpert, Brulte, Florez, Hollingsworth, McPherson, Oller, Poochigian, and Torlakson.

The following Senators were granted leaves of absence for the day due to personal business: Senators Aanestad, Ashburn, and Margett.

The following Senators were granted leaves of absence for the day due to family illness: Senators Morrow and Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Speier.

REQUEST TO ADJOURN IN MEMORIAM

Senator Machado requested that when the Senate adjourns this day it do so in memory of Walter J. Hein of Lodi.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 10:30 a.m., Monday, July 26, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-FIFTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, July 26, 2004

The Senate met at 1:30 p.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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:
Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Murray, Oller, Ortiz, Perata, Pochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—33.

Quorum present.

(NOTE: Senator Brulte will be excused this day on legislative business, Senators Aanestad, Florez, McPherson, and Morrow will be excused this day on personal business, and Senator Vincent will be excused this day due to family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Gracious Giver of Life, Just as the hands held before the eye can hide the tallest mountain, so the routine of our every day lives can keep us from seeing the vast radiance and the wonders of the world. Enable us, O Lord, to remove the obstacles that blind us that we might see Your presence in every living thing, and in every moment of existence.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Kuehl led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Transportation**

Senate Chamber, July 26, 2004

Mr. President: The Chair of the Committee on Transportation, to which was referred:

AB 1009

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 1009—An act to amend Section 43701 of the Health and Safety Code, relating to air pollution.

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, July 26, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SCA 19	AB 1858	AB 2358
AB 2475	AB 2477	

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article II thereof, relating to voting.

Resolution read second time.

Assembly Bill 1858—An act to amend Sections 56157, 56366, 56366.1, 56366.5, and 56366.9 of, and to add Sections 56155.7, 56366.10,

and 56366.11 to, the Education Code, and to amend Section 1501.1 of the Health and Safety Code, relating to special education.

Bill read second time.

Assembly Bill 2358—An act to amend Sections 5204, 5220, 5237, 17306, 17500, 17502, and 17506 of, and to add Section 17309.5 to, the Family Code, to add Section 24351.5 to the Government Code, and to amend and repeal Sections 19271, 19271.6, 19272, 19273, and 19275 of, and to add and repeal Section 19270 of, the Revenue and Taxation Code, relating to child support.

Bill read second time.

Assembly Bill 2475—An act to add Section 5023.5 to the Penal Code, relating to corrections.

Bill read second time.

Assembly Bill 2477—An act to add Section 66406 to the Education Code, relating to postsecondary education.

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, July 26, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2474

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 2474—An act relating to elder and dependent adult abuse.

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 ASSEMBLY BILLS

Assembly Bill 2930—An act to amend Sections 3303 and 3304 of the Government Code, relating to public safety officers.

Bill read second time and ordered to third reading.

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Chesbro moved that **AB 974** be placed on the inactive file.

Senator Ortiz moved that **AB 1798** and **AB 923** be placed on the inactive file.

Motions carried.

MOTION TO REMOVE BILL FROM INACTIVE FILE

Senator Murray moved that **AB 1197** be removed from the the inactive file and placed on second reading.

Motion carried.

REQUEST TO RETURN BILL TO ASSEMBLY

On the request of Senator Chesbro, SB 1153 was returned to the Assembly for further action.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1999—An act to amend Section 66602 of, and to repeal Sections 90450 and 90500 of, the Education Code, and to amend Section 10760 of the Public Contract Code, relating to the California State University.

Bill read third time.

Amendments Adopted

Amendments to AB 1999 proposed by Senator Scott were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1667—An act to amend Section 803 of, to add Sections 801.1 and 803.6 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read third time.

Amendments Adopted

Amendments to AB 1667 proposed by Senator McPherson were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1776—An act to amend Section 2105 of the Corporations Code, and to amend Section 7480 of the Government Code, relating to production of records.

Bill read third time.

Amendments Adopted

Amendments to AB 1776 proposed by Senator Florez were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2398—An act to amend Section 7097 of, and to add Section 7098 to, the Government Code, relating to economic development.

Bill read third time.

Amendments Adopted

Amendments to AB 2398 proposed by Senator Ashburn were read and adopted and the measure ordered printed and to second reading.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **ACR 228** was withdrawn from Committee and placed on the Special Consent Calendar.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1468** was withdrawn from the Committee on Energy, Utilities and Communications and re-referred to the Committee on Appropriations.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Brulte.

The following Senators were granted leaves of absence for the day due to personal business: Senators Aanestad, Florez, McPherson, and Morrow.

The following Senator was granted leave of absence for the day due to family illness: Senator Vincent.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 3:30 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess. The Desk shall remain open to receive communications and to conduct the business of the day. The Senate will adjourn until Tuesday, July 27, 2004.

Motion carried.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Brulte requested that when the Senate adjourns this day it do so in memory of Lucille Freona Victor of North Hollywood.

Senator Burton requested that when the Senate adjourns this day it do so in memory of Belleanne Yonehiro and Joan Schaupp of San Francisco.

Senators Hollingsworth and Ducheny requested that when the Senate adjourns this day it do so in memory of Cato Cedillo of Chula Vista.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Tuesday, July 27, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, July 27, 2004

The Senate met at 9 a.m.
Hon. Dede Alpert, of the 39th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Ackerman, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Machado, Margett, McClintock, Murray, Ortiz, Perata, Romero, Scott, Soto, Torlakson, and Vasconcellos—23.

Quorum present.

(NOTE: Senators Alarcón, Battin, Brulte, Denham, Dunn, Hollingsworth, McPherson, Oller, and Speier will be excused this day on legislative business, Senators Aanestad, Ashburn, Kuehl, Morrow, and Poochigian will be excused this day on personal business, Senator Vincent will be excused this day due to family illness, and Senator Sher will be excused this day due to illness.)

REPORTS OF STANDING COMMITTEES

Committee on Rules

State Capitol, July 27, 2004

The Committee on Rules has referred the following measure to committee:

Rules—AB 2268.

Committee on Appropriations

Senate Chamber, July 27, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 50	AB 1000	AB 1486	AB 2032
AB 2554	AB 2606	AB 2813	

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 50—An act to amend Sections 245, 12011, 12022, 12022.5, 12275, 12275.5, 12280, 12285, 12286, 12287, 12288, 12288.5, 12289, and 12290 of, and to add Sections 12278 and 12285.1 to, the Penal Code, relating to firearms.

Bill read second time.

Assembly Bill 1000—An act to amend Sections 1502 and 2117 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1486—An act to amend Section 17406 of, and to add and repeal Article 2.2. (commencing with Section 17429.1) of Chapter 4 of Part 10.5 of, the Education Code, relating to school facilities.

Bill read second time.

Assembly Bill 2032—An act to add Sections 149.4, 149.5, and 149.6 to the Streets and Highways Code, relating to transportation.

Bill read second time.

Assembly Bill 2554—An act to amend Sections 24216, 24216.5, and 24216.6 of the Education Code, relating to state teachers' retirement.

Bill read second time.

Assembly Bill 2606—An act to amend Sections 4466 and 9270 of the Vehicle Code, relating to vehicles.

Bill read second time.

Assembly Bill 2813—An act relating to taxation.

Bill read second time.

Committee on Rules

Senate Chamber, July 27, 2004

Madam President: The Chair of the Committee on Rules, to which was referred:

AB 2268

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2268—An act to amend Section 699.5 of, and to add Section 699.1 to, the Military and Veterans Code, relating to veterans.

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, July 27, 2004

Madam President: The Chair of the Committee on Judiciary, to which was referred:

AB 2547

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 2547—An act to amend Section 103900 of, and to add Section 103902 to, the Health and Safety Code, and to add Section 12803.5 to the Vehicle 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.

INTRODUCTION AND FIRST READING OF SENATE MEASURE

The following measure was introduced, read the first time and transmitted to the Committee on Rules:

Senate Joint Resolution 33: By Senator Poochigian—Relative to West Nile virus.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 1197—An act to amend Sections 82011, 82019, and 87500 of the Government Code, relating to conflicts of interest.

Bill read second time and ordered to third reading.

Assembly Bill 1999—An act to amend Section 66602 of, and to repeal Sections 90450 and 90500 of, the Education Code, and to amend Section 10760 of the Public Contract Code, relating to the California State University.

Bill read second time and ordered to third reading.

Assembly Bill 1667—An act to amend Section 803 of, to add Sections 801.1 and 803.6 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read second time and ordered to third reading.

Assembly Bill 1776—An act to amend Section 2105 of the Corporations Code, and to amend Section 7480 of the Government Code, relating to production of records.

Bill read second time and ordered to third reading.

Assembly Bill 2398—An act to amend Section 7097 of, and to add Section 7099 to, the Government Code, relating to economic development.

Bill read second time and ordered to third reading.

MEASURE WITHDRAWN FROM COMMITTEE

Without objection, **AB 3051** was withdrawn from the Committee on Judiciary and placed on file.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

AB 2159 was withdrawn from the Committee on Judiciary and re-referred to the Committee on Appropriations.

SENATE RULE 29.3 SUSPENDED

Without objection, Senate Rule 29.3 was suspended to permit consideration of the Budget Trailer Bills and SCA 9, as amended, in print, and properly before the Senate.

Urgency Clauses Added

Senate Chamber, July 27, 2004

The Committee on Rules grants permission to offer amendments which would add urgency sections to the Budget Trailer Bills: AB 2110, AB 2111, AB 2112, AB 2113, AB 2114, AB 2115, AB 2116, AB 2117, AB 2118, AB 2119, AB 2120, AB 2121, and AB 2122.

BURTON, Chair

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of, and to add Section 16131.5 to, the Welfare and Institutions Code, relating to children.

Bill read third time.

Amendments Adopted

Amendments to AB 2807 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1859—An act to add Section 17350.5 to the Corporations Code and to amend Sections 17941 and 17945 of the Revenue and Taxation Code, relating to limited liability companies.

Bill read third time.

Amendments Adopted

Amendments to AB 1859 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 403—An act to amend Section 12104 of the Financial Code, relating to check sellers and proraters, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 403 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2478—An act to amend Section 4507 of the Food and Agricultural Code, relating to fairs.

Bill read third time.

Amendments Adopted

Amendments to AB 2478 proposed by Senator Ashburn were read and adopted and the measure re-referred to the Committee on Rules.

Assembly Bill 2103—An act to add and repeal Section 5012 of the Penal Code, relating to the Department of Corrections.

Bill read third time.

Amendments Adopted

Amendments to AB 2103 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2112—An act relating to the Budget Act of 2004.

Bill read third time.

Amendments Adopted

Amendments to AB 2112 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2113—An act relating to the Budget Act of 2004.

Bill read third time.

Amendments Adopted

Amendments to AB 2113 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2115—An act relating to the Budget Act of 2004.

Bill read third time.

Amendments Adopted

Amendments to AB 2115 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2117—An act relating to the Budget Act of 2004.
Bill read third time.

Amendments Adopted

Amendments to AB 2117 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2119—An act relating to the Budget Act of 2004.
Bill read third time.

Amendments Adopted

Amendments to AB 2119 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2111—An act relating to the Budget Act of 2004.
Bill read third time.

Amendments Adopted

Amendments to AB 2111 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2118—An act relating to the Budget Act of 2004.
Bill read third time.

Amendments Adopted

Amendments to AB 2118 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2104—An act to add Section 6052 to the Penal Code, relating to wardens, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 2104 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2121—An act relating to the Budget Act of 2004.
Bill read third time.

Amendments Adopted

Amendments to AB 2121 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2122—An act relating to the Budget Act of 2004.
Bill read third time.

Amendments Adopted

Amendments to AB 2122 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 15 of Article XI thereof, by adding Section 25.5 to Article XIII thereof, and by amending Section 6 of Article XIII B thereof, relating to local government finance.

Resolution read third time.

Amendments Adopted

Amendments to SCA 9 proposed by Senator Torlakson were read and adopted and the measure ordered printed, engrossed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2120—An act relating to the Budget Act of 2004.

Bill read third time.

Amendments Adopted

Amendments to AB 2120 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2101—An act to add and repeal Section 12803.9 of the Government Code, relating to health and human services.

Bill read third time.

Amendments Adopted

Amendments to AB 2101 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2110—An act to amend Section 12101.5 of the Public Contract Code, relating to state contracts.

Bill read third time.

Amendments Adopted

Amendments to AB 2110 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2114—An act relating to the Budget Act of 2004.

Bill read third time.

Amendments Adopted

Amendments to AB 2114 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2105—An act relating to the Department of Corrections, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 2105 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2116—An act relating to the Budget Act of 2004.
Bill read third time.

Amendments Adopted

Amendments to AB 2116 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to legislative business: Senators Alarcón, Battin, Brulte, Denham, Dunn, Hollingsworth, McPherson, Oller, and Speier.

The following Senators were granted leaves of absence for the day due to personal business: Senators Aanestad, Ashburn, Kuehl, Morrow, and Poochigian.

The following Senator was granted leave of absence for the day due to family illness: Senator Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Sher.

REQUEST TO ADJOURN IN MEMORIAM

Senator Margett requested that when the Senate adjourns this day it do so in memory of Leona Kelly of Downey.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senator's request until 9 a.m., Wednesday, July 28, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, July 28, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Ashburn, Battin, Bowen, Brulte, Burton,
Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata,
Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos,
and Vincent—38.

Quorum present.

(NOTE: Senator Alpert will be excused this day on legislative business.)

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Senate Chamber, July 28, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation,
to which was referred:

AB 1850

Reports the same back with author's amendments with the
recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1850—An act to add Section 1396.6 to the Health and Safety Code, relating to health care service plans.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, July 28, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2024

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2024—An act to add Chapter 4.8 (commencing with Section 2195) to Division 3 of the Streets and Highways Code, relating to transportation.

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 ASSEMBLY BILLS**

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of, and to add Section 16131.5 to, the Welfare and Institutions Code, relating to children.

Bill read second time and ordered to third reading.

Assembly Bill 1859—An act to add Section 17350.5 to the Corporations Code and to amend Sections 17941 and 17945 of the Revenue and Taxation Code, relating to limited liability companies.

Bill read second time and ordered to third reading.

Assembly Bill 403—An act to amend Section 12104 of the Financial Code, relating to check sellers and proraters.

Bill read second time and ordered to third reading.

Assembly Bill 3051—An act to amend Section 5406 of, and to add Section 5406.7 to, the Labor Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2100—An act to add Sections 4512.5, 4519.8, and 4631.2 to the Welfare and Institutions Code, relating to developmental services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 2100 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

Assembly Bill 2123—An act relating to the Budget Act of 2004.

Bill read third time.

Amendments Adopted

Amendments to AB 2123 proposed by Senator Chesbro were read and adopted and the measure ordered printed and to third reading.

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

A report dated: June 25, 2004, relating to San Mateo County's Child Care Subsidy Pilot project was received from the Legislative Analyst's Office and transmitted to the Committee on Health.

A report dated: June 2004, relating to Property Tax Apportionments for Calendar Year 2003 was received from the California State Controller, and transmitted to the Committee on Local Government.

A report dated: June 30, 2004, relating to Hate Crime in California, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A report dated: June 30, 2004, relating to Crime in California was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A report dated: July 8, 2004, relating to the State Compensation Insurance Fund was received from the Department of Insurance and transmitted to the Committee on Banking, Finance and International Trade.

A report dated: July 9, 2004, relating to the San Francisco General Hospital Trauma Recovery Center was received from the Victim Compensation and Government Claims Board and transmitted to the Committee on Public Safety.

A report dated: July 9, 2004, relating to the School Employers Fund, was received from the Employment Development Department, and transmitted to the Committee on Labor and Industrial Relations.

A report dated: July 12, 2004, relating to Organized Crime in California For 2003, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A report dated: July 12, 2004, relating to Annual Railroad Local Safety Hazard Report was received from the Public Utilities Commission and transmitted to the Committee on Transportation.

A report dated: July 13, 2004, relating to the Unemployment Insurance (UI) Fund Forecast, was received from the Employment Development Department and transmitted to the Committee on Labor and Industrial Relations.

A report dated: July 13, 2004, relating to the Disability Insurance Fund Forecast, was received from the Employment Development Department and transmitted to the Committee on Labor and Industrial Relations.

An audit report dated: July 14, 2004, relating to Los Angeles County Metropolitan Transportation Authority (MTA) Legal and procurement practices. was received from the California State Auditor and transmitted to the Committee on Rules.

A Title Summary report dated July 14, 2004, relating to the California Petroleum Commission. Initiative Statute was received from the Department of Justice and transmitted to the Committee on Rules.

A report dated: July 14, 2004, relating to California Gang, Crime & Violence Prevention Partnership Program, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A report dated: July 16, 2004, relating to Universal Telephone Service to Residential Customers was received from the Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

A report dated: July 21, 2004, relating to Whistleblower Retaliation Complaints was received from the California State Personnel Board and transmitted to the Committee on Judiciary.

A report dated: July 21, 2004, relating to the Board of Trustees of the California State University Progress Report was received from the California State University and transmitted to the Committee on Education.

A report dated: July 22, 2004, relating to Consolidated Report of Procurement and Contracting Activities by Race, Ethnicity and Gender and Minority, Women and DVBE was received from the State Water Resources Control Board and transmitted to the Committee on Governmental Organization.

A report dated: July 13, 2004, relating to the Capitol Area East End Complex was received from the Department of General Services and transmitted to the Committee on Rules.

An audit report dated: July 27, 2004, relating to the California Department of Corrections was received from the California State Auditor and transmitted to the Committee on Rules.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Alpert.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Jeff Bryson of Dana Point.

Senator McPherson requested that when the Senate adjourns this day it do so in memory of Emmett Webster Smith of Morgan Hill.

Senator Perata requested that when the Senate adjourns this day it do so in memory of D. David "Dave" MacDonald of Modesto.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9 a.m., Thursday, July 29, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-EIGHTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, July 29, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent—39.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Creator God, As with all that is, we too, and all we do, labor to be born, to be given life. We come before You this morning with a new budget, and we ask Your divine blessing upon it. Knowing that all that is not of You is not perfect, we turn to You and ask You to accept our offering. Let Your Spirit pass over it that what we have done will contribute to a successful new year for us and the people of this great state.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Karnette led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, July 28, 2004

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 1299, AB 1510, AB 1814, AB 2063, AB 2167, AB 2409, AB 2911 to the Senate.

Above measures ordered held at Desk.

Assembly Chamber, July 28, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 1096	SB 1102	SB 1108	SB 1120
SB 1097	SB 1103	SB 1110	SB 1448
SB 1098	SB 1104	SB 1111	SB 1809
SB 1099	SB 1105	SB 1112	SCA 4
SB 1100	SB 1106	SB 1113	
SB 1101	SB 1107	SB 1119	

And respectfully requests your honorable body to concur in said amendments.

E. DOTSON WILSON, Chief Clerk of the Assembly

Above measures ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Senate Chamber, July 29, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 1592

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1592—An act to amend Section 14845 of the Government Code, and to amend Sections 999, 999.5, 999.7, 999.9, 999.11, and 999.12 of the Military and Veterans Code, relating to veterans.

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
SPECIAL CONSENT CALENDAR**

Assembly Bill 2376—An act to amend Sections 1357.120 and 1373 of, and to add Section 1378 to, the Civil Code, relating to common interest developments.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2869—An act to amend Section 9601 of the Public Utilities Code, relating to public utilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 340—An act to amend Sections 21464 and 42001 of the Vehicle Code, relating to traffic control devices.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 675—An act to amend Section 12715 of, and to add Section 12715.5 to, the Government Code, relating to gaming.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1704—An act to amend Section 724.060 of the Code of Civil Procedure, to amend Sections 4014, 4202, 5002, 17400, 17406, 17432, and 17500 of, and to add Section 5003 to, the Family Code, to amend Section 27282 of the Government Code, to amend Section 19271.6 of the Revenue and Taxation Code, and to amend Section 827 of the Welfare and Institutions Code, relating to family law.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2390—An act to amend Sections 1657, 1658, and 1658.2 of, and to add Section 1625.1 to, the Business and Professions Code, relating to the healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2403—An act to amend Section 647.7 of, and to add Section 647.05 to the Penal Code, relating to crime.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2429—An act to amend Section 1375.7 of the Health and Safety Code, relating to health care service plans.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2480—An act to repeal and add Section 19170 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2613—An act to add Section 1812.117 to the Civil Code, relating to discount buying organizations.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2811—An act to amend Sections 7100 and 7105 of the Health and Safety Code, relating to human remains.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2873—An act to add Article 6 (commencing with Section 18973) to Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code, relating to child abuse prevention.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2878—An act to amend Section 25510 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2885—An act to add Section 32289 to, and to repeal Section 35294.95 of, the Education Code, relating to school safety.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2897—An act to amend Sections 7500, 7503, 7510, 7511, and 7515 of, and to repeal Section 7555 of the Penal Code, relating to prisoners, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3000—An act to amend Sections 1012 and 1012.2 of the Military and Veterans Code, relating to veterans homes.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 177—Relative to the University of California.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 911—An act to add Section 653y to the Penal Code, relating to public safety services.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2840—An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 78—Relative to the Bill Keene Interchange.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Concurrent Resolution 84—Relative to the Larry Combs Memorial Rest Stop.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2676—An act to amend Section 21661.5 of the Public Utilities Code, relating to airports.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 969—An act to amend Sections 17700 , 53511, and 53601 of, and to add Section 6509.7 to, the Government Code, relating to local agency financing.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3015—An act to amend Section 1064 of the Government Code, relating to military service.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2876—An act to add Section 128766 to the Health and Safety Code, relating to health facilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1530—An act to amend Sections 3412, 3417, 3418, and 3419 of the Penal Code, relating to prisoners.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1945—An act to amend Section 1569.616 of the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2170—An act to amend Sections 7500.2, 7507.3, 7507.9, 7507.10, and 7508.2 of, to add Section 7505.2 to, to repeal Section 7506 of, and to repeal and add Section 7500.1 of, the Business and Professions Code, relating to repossession agencies.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2186—An act to amend Section 66907.7 of the Government Code, relating to natural resources.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2210—An act to amend Section 44259 of the Education Code, relating to teachers, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2755—An act to add Section 7.3 to the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth

Extraordinary Session), relating to the Ventura County Watershed Protection District.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2784—An act to amend Sections 130054.1 and 130054.8 of the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2823—An act to add Section 101.12 to the Streets and Highways Code, relating to highways.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2905—An act to amend Section 832.9 of the Penal Code, relating to public safety officials.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3071—An act to amend Sections 18533 and 23802 of, and to repeal Section 7057 of, the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3073—An act to amend Section 17002 of the Corporations Code, and to amend Sections 69.4, 214, 214.01, 214.02, 214.5, 214.8, 214.14, 17076, 19191, 19192, and 19194 of, and to add Section 17049 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2254—An act to add Section 25250.22 to the Health and Safety Code, relating to hazardous waste.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2464—An act to amend Sections 3013, 3014, 3016, 3017, 3018, 3019, 3023, 3027, 3040, 3042, 3044, 3045, 3054, 3059, 3070, 3076, and 3125 of, to add Sections 3003, 3004, 3005, 3006, 3025.1, 3025.2, 3025.7, 3028, 3041.1, and 3046 to, to repeal Sections 3012, 3015, 3020, 3021, 3022, 3023.1, 3026.5, 3027.5, 3029, 3047, 3050, and 3052 of, and

to repeal and add Sections 3000, 3055, and 3075 of, the Business and Professions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Concurrent Resolution 228—Relative to video and computer games.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

Senator Alpert Presiding

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill 1113—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1113?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1097—An act to amend Sections 14030 and 14070 of, and to repeal Sections 14202 and 28506 of, the Corporations Code, to amend Sections 8277.6, 68084, 88500, 88510, and 89440 of the Education Code, to amend Section 22056 of the Financial Code, to amend Sections 492, 705, and 78486 of the Food and Agricultural Code, to amend Sections 7076, 7086, 8684.2, 8899.12, 14041, 14998.3, 14998.4, 14998.6, 14998.7, 14998.8, 14998.9, 15710, 63024, 65040.9, 65040.12, 66031, and 91550 of,

to add Sections 11008.2 and 11008.5 to, and to repeal Sections 8684, 8899.16, 8899.21, 11347.6, and 66036 of, the Government Code, to amend Sections 11998.1, 18949.6, 25395.20, 25395.23, 25395.41, 34053, 37981, 37982, 37983, 37984, 39752, 40448.6, 41503.6, 41865, 50887.5, and 124850 of, and to amend and renumber Sections 35989 and 35990 of, the Health and Safety Code, to amend Section 1831 of the Military and Veterans Code, to amend Section 2802 of the Penal Code, to amend Sections 25696, 31306, 36300, 42021, and 42024 of, and to repeal Section 42022 of, the Public Resources Code, to amend Section 883 of the Public Utilities Code, to amend Sections 17053.74 and 23622.7 of the Revenue and Taxation Code, and to amend Sections 335, 10200, 10202.5, 10205, 10206, 10525, 10529, 11010, 11011, 12112, 12151, 15076, 15076.5, and 15077 of, and to repeal Section 10213.5 of, the Unemployment Insurance Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1097?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1098—An act to add Section 14553.10 to the Government Code, to amend Sections 7102 and 7105 of, and to add Section 7106 to, the Revenue and Taxation Code, to amend Sections 163 and 164.6 of the Streets and Highways Code, and to amend Section 14902 of the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1098?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)
Consideration of Assembly Amendments

Senate Bill 1099—An act to add Section 14558 to the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1099?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)
Consideration of Assembly Amendments

Senate Bill 1106—An act to amend Sections 16920 and 16929 of, and to add Chapter 8 (commencing with Section 16940) to Part 3 of Division 4 of Title 2 of, the Government Code, relating to public pension obligations, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1106?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)
Consideration of Assembly Amendments

Senate Bill 1105—An act to amend Sections 19999.5, 20303, 20340, 20822, 20824, 20894, 21060, 21070.5, 21547, 22874, 22875, and 22877 of, to add Sections 20281.5 and 20908 to, and to add Chapter 8.6 (commencing with Section 19999.3) to Part 2.6 of Division 5 of Title 2 of, the Government Code, relating to public employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1105?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

Senator Bowen Presiding

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1108—An act to amend Sections 2558.46, 14041.5, 19325.1, 41203.1, 42238, 42238.44, 42238.146, 42238.23, 69522, 69525, 69529.5, 69766, 69768, 76300, and 84321 of, to amend and repeal Sections 56156.6, 56836.16, and 56836.17 of, to add Sections 56836.165, 56836.173, 66744, 84321.5, and 84760 to, and to repeal and add Section 41207 of, the Education Code, to amend Sections 17581.5 and 68926.3 of the Government Code, to amend Section 270 of the Public Utilities Code, and to repeal Item 6870-101-0959 of Section 2.00 of Chapter 157 of the Statutes of 2003, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1108?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1101—An act relating to education finance, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1101?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1096—An act to amend Section 41204.1 of the Education Code, to amend Sections 6585, 6588, 6590, 6591, 6592, and 25350.55 of, and to add Sections 6588.5, 6599.3, and 17617 to, the Government Code,

to amend Sections 18115, 33020, 33333.2, 33333.6, 33672, and 33683 of, and to add Sections 33681.12, 33681.13, and 33681.14 to, the Health and Safety Code, to amend Sections 97.31, 97.68, 98.02, 7203.1, 10752, 10752.1, 10753.2, 11001.5, and 11003 of, to amend and repeal Section 10754 of, to add Sections 96.81, 97.70, 97.71, 97.72, 97.73, 97.74, 97.75, 97.76, 97.77, and 10754.11 to, to repeal Sections 10753.8, 11000, and 11005.7 of, and to repeal and add Section 11005 of, the Revenue and Taxation Code, to amend Section 42205 of the Vehicle Code, to amend Section 40 of Chapter 91 of the Statutes of 1991, and to repeal Section 210 of Chapter 89 of the Statutes of 1991 and Section 29 of Chapter 100 the Statutes of 1993, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1096?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Constitutional Amendment 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 15 of Article XI thereof, by adding Section 25.5 to Article XIII thereof, and by amending Section 6 of Article XIII B thereof, relating to local government finance.

Resolution presented by Senator Torlakson.

The question being: Shall the Senate concur in the Assembly amendments to SCA 4?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1119—An act relating to ballot measures and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1119?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 1103—An act to amend Section 17002 of the Corporations Code, to amend Section 6254 of the Government Code, to amend Sections 1341.4, 1575.5, 101315, 101319, 101750, 123707, 124977, 124980, 125000, 125001, and 127671 of, to add Sections 101320, 101750.5, and 120956 to, to add Chapter 5 (commencing with Section 123223) to Part 1 of Division 106 of, and to repeal Article 6 (commencing with Section 101315) of Chapter 3 of Part 3 of Division 101 of, the Health and Safety Code, to amend Section 12693.43 of, and to repeal Section 12699.10 of, the Insurance Code, and to amend Sections 4094.2, 4631.5, 4643, 4648.4, 4681.5, 4691.6, 4781.5, 5775, 14007.9, 14018.7, 14044, 14085.7, 14085.8, 14087.31, 14087.35, 14087.36, 14087.38, 14087.51, 14087.54, 14087.9605, 14094.3, 14105.19, 14105.336, 14105.337, 14132.100, 14574, 16809, 22003, and 22009 of, to amend and repeal Section 14464.5 of, to add Sections 4865.1, 14043.46, 14132.107, 14132.108, 14133.01, 14154.5, 14170.11, 14552.5, and 22005.2 to, to add and repeal Sections 4783 and 14132.105 of, to repeal Sections 14105.46 and 14110.65 of, and to repeal and add Section 14105.45 of, the Welfare and Institutions Code, and to repeal Section 80.5 of Chapter 230 of the Statutes of 2003, relating to health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1103?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)**Consideration of Assembly Amendments**

Senate Bill 1104—An act to amend Section 8263 of, to add Section 8263.4 to, and to add Article 16.5 (commencing with Section 8385) to Chapter 2 of Part 6 of, the Education Code, to amend Section 11796 of the Government Code, to amend Sections 1522, 1523.1, 1523.2, 1568.05, 1569.185, 1596.803, 1596.816, 1596.871, 1596.872a, 1596.872b, and 11970.2 of, and to add Section 128241 to, the Health and Safety Code, to amend Section 273d of the Penal Code, to amend Section 1611.5 of the Unemployment Insurance Code, and to amend Sections 10531, 10532, 11320.1, 11322.8, 11322.9, 11325.21, 11325.22, 11325.23, 11325.7,

11326, 11403.1, 11403.3, 11453, 11454, 11454.5, 11454.6, 11462, 11462.06, 11466.21, 12201, 12300, 12301.1, 14132.95, 15204.2, 17021, 18939, and 19806 of, to amend and renumber Section 10553.2 of, to add Sections 9404, 11401.5, 11486.3, 12301.21, 12305.7, 12305.71, 12305.72, 12305.8, 12305.81, 12305.82, 12305.83, 12317, 12317.1, 12317.2, 14132.951, and 16521.3 to, to repeal and add Section 12301.2 of, and to repeal Chapter 2.4 (commencing with Section 16145) of Part 4 of Division 9 of, the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1104?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1102—An act to amend Sections 352, 18800, 23095, and 25658.1 of the Business and Professions Code, to add and repeal Section 3294.5 of the Civil Code, to amend Sections 215, 405.20, 405.22, 1021.8, and 1502 of the Code of Civil Procedure, to amend Section 1502.5 of the Corporations Code, to add Article 20.5 (commencing with Section 69999.6) to Chapter 2 of Part 42 of the Education Code, to amend Sections 10404.5 and 10405.7 of the Elections Code, to add Section 221.1 to the Food and Agricultural Code, to amend Sections 905.2, 910.4, 910.8, 911, 11011, 11011.1, 11011.2, 11011.3, 11011.4, 11011.5, 11011.6, 11011.8, 11011.9, 11794, 12012.90, 12152, 12439, 12715, 13332.11, 13332.19, 13923, 14612.2, 14661, 15201, 16182, 16320, 16351, 16427, 23344, 27297.5, 29550, 30070, 63021.5, 65583, 69926.5, 69957, 71601, 71630, 71636, 71639.3, 71823, and 77202 of, to amend and repeal Section 29550.4 of, to add Sections 14604, 65584.1, 65584.2, 68511.8, 69958, 71639.4, 71639.5, 71825.1, and 71825.2 to, to add and repeal Sections 8690.6, 11011.10, and 12432 of, to repeal Sections 11006 and 13332.04 of, and to repeal and add Sections 71639.1 and 71825 of, the Government Code, to amend Sections 50710.1 and 53533 of, and to add Section 13138 to, the Health and Safety Code, to amend Section 2065 of the Labor Code, to amend Sections 4750, 4751, 4752, 4753, and 6005 of, and to add Sections 4751.5, 4753.5, and 5023.5 to, the Penal Code, to add Section 10108.8 to the Public Contract Code, to amend Sections 25630 and 26020 of, and to add Section 25226 to, the Public Resources Code, to add Section 884.5 to the Public Utilities Code, to amend Sections 63.1, 2514, 8352, and 30462 of the Revenue and Taxation Code, to amend Section 1587 of the

Unemployment Insurance Code, to amend Section 21401 of, and to repeal Section 42272, of the Vehicle Code, to amend Section 3 of Chapter 899 of the Statutes of 1995, and to amend Section 30 of Chapter 573 of the Statutes of 2003, relating to state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1102?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1100—An act to amend Section 37022 of the Public Resources Code, and to amend Sections 6592, 17052.2, 17053.30, 19164, and 23630 of, to amend, repeal, and add Section 6248 of, to add Section 19777.5 to, to add Article 4 (commencing with Section 19590) to Chapter 7 of Part 10.2 of Division 2 of, to add Chapter 9.1 (commencing with Section 19730) to Part 10.2 of Division 2 of, and to repeal and add Article 2 (commencing with Section 7070) of Chapter 8 of Part 1 of Division 2 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1100?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1107—An act to amend Section 13220 of the Fish and Game Code, to amend Section 12841 of, and to repeal Section 12112 of, the Food and Agricultural Code, to amend Section 51283 of, and to add Section 12812.6 to, the Government Code, to amend Sections 42821, 44011, 44060, 44091, and 44091.1 of the Health and Safety Code, to amend Sections 5045, 5046, and 30940 of, and to add Article 8 (commencing with Section 5079.70) to Chapter 1.1.5 of Division 5 of, Chapter 3.8 (commencing with Section 5750) to Division 5 of, Chapter 7.5 (commencing with Section 5819) to Division 5 of, and Part 3.5 (commencing with Section 71120) to Division 34 of, the Public Resources

Code, to amend Sections 4000.1, 5067, and 24007 of the Vehicle Code, and to amend Sections 4201, 4227, 4251, 4252, 4327, 4357, 12878, 12878.1, 12878.33, and 12878.44 of, to add Sections 12639.1 and 79509.6 to, and to repeal Sections 4250 and 4405 of, the Water Code, relating to resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1107?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1111—An act to amend Section 73.8 of, and to repeal Sections 73.5 and 73.6 of, the Military and Veterans Code, relating to state government.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1111?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill 1112—An act to repeal Article 3.5 (commencing with Section 4138) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, relating to public resources, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1112?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

**UNFINISHED BUSINESS (RESUMED)
Consideration of Assembly Amendments**

Senate Bill 1120—An act to make an appropriation in augmentation of the Budget Act of 2003, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

Bill presented by Senator Chesbro.

The question being: Shall the Senate concur in the Assembly amendments to SB 1120?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

**UNFINISHED BUSINESS (RESUMED)
Consideration of Assembly Amendments**

Senate Bill 1448—An act to amend Sections 60601, 60602, 60607, 60611, 60641, and 60644 of, to amend and repeal Section 60642 of, and to amend, repeal, and add Sections 60603, 60604, 60605, 60605.6, 60606, 60640, 60643, and 60643.1 of, the Education Code, relating to pupil assessment.

Bill presented by Senator Alpert.

The question being: Shall the Senate concur in the Assembly amendments to SB 1448?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

**UNFINISHED BUSINESS (RESUMED)
Consideration of Assembly Amendments**

Senate Bill 1809—An act to amend Sections 98.6 and 2699 of, to add Sections 2699.3 and 2699.5 to, and to repeal Section 431 of, the Labor Code, relating to private employment, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Dunn.

The question being: Shall the Senate concur in the Assembly amendments to SB 1809?

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette,

Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Above bill ordered enrolled.

Senator Burton Presiding

Senate Bill 1110—An act to add Section 12811.3 to the Government Code, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Cedillo.

The question being: Shall the Senate concur in the Assembly amendments to SB 1110?

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH (SB 1113)

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1113 was adopted by the following vote:

AYES (28)—Senators Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (28)—Senators Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1097)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1097 was adopted by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Battin, Brulte, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (8)—Senators Battin, Brulte, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1098)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1098 was adopted by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette,

Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator Vasconcellos.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (38)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (1)—Senator Vasconcellos.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1105)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1105 was adopted by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Battin, Brulte, and Denham.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (3)—Senators Battin, Brulte, and Denham.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1108)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1108 was adopted by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (6)—Senators Battin, Brulte, Denham, Hollingsworth, McClintock, and Oller.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (6)—Senators Battin, Brulte, Denham, Hollingsworth, McClintock, and Oller.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1101)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1101 was adopted by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (6)—Senators Battin, Bowen, Brulte, Denham, Hollingsworth, and Oller.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson,

Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vincent.

NOES (6)—Senators Battin, Bowen, Brulte, Denham, Hollingsworth, and Oller.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1096)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1096 was adopted by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (7)—Senators Battin, Bowen, Brulte, Denham, Hollingsworth, McClintock, and Murray.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (7)—Senators Battin, Bowen, Brulte, Denham, Hollingsworth, McClintock, and Murray.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SCA 4)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SCA 4 by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vincent.

NOES (5)—Senators Bowen, Florez, Murray, Sher, and Vasconcellos.

Above resolution ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1119)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1119 was adopted by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (3)—Senators Denham, Florez, and McClintock.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (3)—Senators Denham, Florez, and McClintock.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1103)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1103 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Karnette,

Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1104)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1104 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1102)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1102 was adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Murray, Ortiz, Perata, Pochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (5)—Senators Brulte, Denham, Hollingsworth, Morrow, and Oller.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (5)—Senators Brulte, Denham, Hollingsworth, Morrow, and Oller.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1107)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1107 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Battin, Brulte, Denham, Florez, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Battin, Brulte, Denham, Florez, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1111)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SB 1111 by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia,

Figueroa, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (4)—Senators Bowen, Brulte, Florez, and McClintock.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1112)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1112 was adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Torlakson, and Vincent.

NOES (7)—Senators Alpert, Bowen, Dunn, Kuehl, Sher, Speier, and Vasconcellos.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Torlakson, and Vincent.

NOES (7)—Senators Alpert, Bowen, Dunn, Kuehl, Sher, Speier, and Vasconcellos.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1120)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SB 1120 by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa,

Florez, Johnson, Karnette, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Sher, Soto, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Battin, Bowen, Brulte, Hollingsworth, Kuehl, McClintock, Morrow, Oller, Romero, Scott, and Speier.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1448)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and the Senate concurred in Assembly amendments to SB 1448 by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1100)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1100 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Soto.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Soto.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1099)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1099 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (11)—Senators Aanestad, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Pochigian.

Above bill ordered enrolled.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (CONSENT CALENDAR)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Consent Calendar Roll Call

The names of the absentees were called and the above measures on the Consent Calendar passed by the following vote:

AYES (39)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Pochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1106)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1106 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Alpert, Ashburn, Burton, Cedillo, Chesbro, Ducheny, Dunn, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, Vasconcellos, and Vincent.

NOES (12)—Senators Aanestad, Battin, Bowen, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered enrolled.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing Appropriations to meet and hear the subject matter of AB 1554 without notice in the Daily File.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1554—An act to amend Sections 14002.3, 41320, 41320.2, 41327, and 41328 of, to add Article 2.7 (commencing with Section 41329.50) to Chapter 3 of Part 24 of, and to repeal Sections 41323 and 41324 of, the Education Code, and to add Article 9 (commencing with Section 63049.67) to Chapter 2 of Division 1 of Title 6.7 of the Government Code, relating to school finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Alpert.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vincent.

NOES (1)—Senator McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Margett, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vincent.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SB 1110)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Urgency Clause

The names of the absentees were called and the urgency clause to SB 1110 was adopted by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Poochigian, Romero, Soto, Torlakson, and Vincent.

NOES (10)—Senators Aanestad, Alpert, Bowen, Margett, McClintock, Morrow, Scott, Sher, Speier, and Vasconcellos.

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (27)—Senators Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Poochigian, Romero, Soto, Torlakson, and Vincent.

NOES (10)—Senators Aanestad, Alpert, Bowen, Margett, McClintock, Morrow, Scott, Sher, Speier, and Vasconcellos.

Above bill ordered enrolled.

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communication was ordered printed in the Journal:

July 29, 2004

Senator John Burton

President pro Tempore

Dear President Burton:

I respectfully request permission to clarify the intent of subdivision (1) contained in Senate Bill 1809. This is in response to an issue raised by the Judicial Council of California.

The purpose of the court review of penalties in subdivision (1) is to ensure that settlements involving penalties arising under Labor Code Section 2699 do not undercut the dual statutory purposes of punishment

and deterrence, or result in unjust, arbitrary and oppressive, or confiscatory settlements.

Very truly yours,

JOSEPH L. DUNN
Senator, 34th District

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 1:57 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Wednesday, August 4, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, July 29, 2004

Mr. President: The Chair of the Committee on Rules, to which was referred:

AB 2006

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2006—An act to amend Sections 365 and 366 of, to add Chapter 2.4 (commencing with Section 400) to Part 1 of Division 1 of, and to repeal Sections 330 and 366 of, the Public Utilities Code, relating to electricity.

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 Resolution 41: By Senator Vasconcellos—Relative to the Senate Task Force on Alcohol and Other Drug Abuse Prevention Education in Schools.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill 2849—An act to amend Sections 66602 and 66606 of the Education Code, relating to the California State University.

Bill read third time.

Amendments Adopted

Amendments to AB 2849 proposed by Senator Karnette were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 15 of Article XI thereof, by adding Section 25.5 to Article XIII thereof, and by amending Section 6 of Article XIII B thereof, relating to local government finance.

Resolution read third time.

Amendments Adopted

Amendments to SCA 9 proposed by Senators Torlakson and Brulte were read and adopted and the measure ordered printed, engrossed, and to second reading.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Alpert requested that when the Senate adjourns this day it do so in memory of Richard Gerry of San Diego.

Senator Burton requested that when the Senate adjourns this day it do so in memory of Dorothy Hughes of San Anselmo.

Senator Hollingsworth requested that when the Senate adjourns this day it do so in memory of Col. G.M. "Jinx" McCain, USMC(Ret.) of Fallbrook.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Jim Ackerman of Long Beach.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Estelle Gelb Newman of Santa Monica.

Senator McClintock requested that when the Senate adjourns this day it do so in memory of Charles William McClintock of Mountain View.

Senator McPherson requested that when the Senate adjourns this day it do so in memory of George Ow Sr., of Santa Cruz.

Senator Ortiz requested that when the Senate adjourns this day it do so in memory of Kent Dedrick of Sacramento.

Senator Poochigian requested that when the Senate adjourns this day it do so in memory of Aileen "Dotty" Ellen Abbate of Fresno, Jennie Morris of Fowler and Anthony "Tony" Sario of Visalia.

Senator Speier requested that when the Senate adjourns this day it do so in memory of Gloria Barton of Burlingame and Margaret Page of Belvedere.

Senator Soto requested that when the Senate adjourns this day it do so in memory of Phillip Calvert of Mentone, Scott Timothy Johnston of Redlands, Susan Kay Paz of San Bernardino, and Chris Prato of Highland.

Senator Vasconcellos requested that when the Senate adjourns this day it do so in memory of Min Tamaki, of Oakland.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 1:30 p.m., Wednesday, August 4, 2004.

WALTER J. LITTLE, Minute Clerk

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CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FORTY-NINTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Wednesday, August 4, 2004

The Senate met at 9 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde reading.

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte,
Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez,
Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,
McClintock, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian,
Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—36.

Quorum present.

*(NOTE: Senator Oller will be excused this day on legislative business and
Senators Dunn and Vincent will be excused this day due to family illness.)*

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, July 30, 2004

Mr. President: The Committee on Rules has examined:

SB 1098	SB 1106	SB 1112	SB 1809
SB 1099	SB 1108	SB 1113	
SB 1101	SB 1110	SB 1119	
SB 1105	SB 1111	SB 1120	

And reports that the same have been correctly enrolled, and presented to
the Governor on the 30th day of July, 2004, at 3 p.m.

BURTON, Chair

Senate Chamber, July 30, 2004

Mr. President: The Committee on Rules has examined:

SCA 4

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the 30th day of July, 2004, at 3:30 p.m.

BURTON, Chair

Committee on Appropriations

Senate Chamber, August 4, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 473 AB 1670 AB 1852 AB 3076

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 473—An act to add Section 7018 to the Business and Professions Code, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1670—An act to amend Section 52124 of the Education Code, relating to class size reduction, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1852—An act to amend Sections 22851 , 24221, and 28001 of the Education Code, relating to state teachers' retirement, and making an appropriation therefor.

Bill read second time.

Assembly Bill 3076—An act to amend Sections 22502, 22504, 22601.5, 22604, 26400, and 26401 of the Education Code, relating to state teachers' retirement.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Senate Chamber, August 2, 2004

Mr. President: The Committee on Rules has examined:

SB 1096 SB 1097 SB 1100 SB 1102
SB 1104 SB 1107 SB 1448

And reports that the same have been correctly enrolled, and presented to the Governor on the 2nd day of August, 2004, at 11 a.m.

BURTON, Chair

Committee on Education

Senate Chamber, August 3, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 2525

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2525—An act to amend Sections 1240.1, 1240.2, 1625, 41020, 42120, 42129, 42131, 41233.5, 51224.5, and 60851 of, and to add Section 95 to, and to repeal Section 8206.3 of, the Education Code, and to amend Section 44 of Chapter 227 of the Statutes of 2003, relating to education, and declaring the 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.

Committee on Appropriations

Senate Chamber, August 4, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 292

AB 2007

AB 2665

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 292—An act to add Section 36 to the Business and Professions Code, to add Section 21.5 to the Civil Code, to add Section 33.5 to the Code of Civil Procedure, to add Article 8 (commencing with Section 95) to Chapter 1 of Part 1 of Division 1 of Title 1 of the Education Code, to add Section 755.6 to the Evidence Code, to add Part 8 (commencing with Section 296) to Division 2 of the Family Code, to add Sections 27 and 68564.5 to the Government Code, to add Section 29 to the Health and Safety Code, to add Section 49 to the Insurance Code, to add Section 30 to the Labor Code, to add Section 24.5 to the Penal Code, to add Chapter 5 (commencing with Section 1070) to Part 1 of Division 3 of the Probate Code, to add Section 22 to the Unemployment Insurance Code, and to add Section 26.5 to the Welfare and Institutions Code, relating to interpreters.

Bill read second time.

Assembly Bill 2007—An act to amend Sections 7632 and 12028 of the Business and Professions Code, relating to business.

Bill read second time.

Assembly Bill 2665—An act to amend Sections 71.4 and 76.3 of the Harbors and Navigation Code, relating to harbors and ports.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

August 3, 2004

Mr. President: The Committee on Rules has examined:

SB 631 SB 694 SB 1183 SB 1603

And reports that the same have been correctly enrolled, and presented to the Governor on the 3rd day of August, 2004, at 1 p.m.

BURTON, Chair

Senate Chamber, August 3, 2004

Mr. President: The Committee on Rules has examined:

SB 1103

And reports that the same has been correctly enrolled, and presented to the Governor on the 3rd day of August, 2004, at 10:30 a.m.

BURTON, Chair

Committee on Appropriations

Date of Hearing, August 4, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 493

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bill ordered to second reading.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

July 31, 2004

To the Members of the California Senate:

I object to the following appropriations contained in **Senate Bill 1113**.

Item 0555-001-0028—For support of Secretary for Environmental Protection. I reduce this item from \$1,444,000 to \$982,000.

I am deleting the \$462,000 legislative augmentation to assist the metal plating industry in complying with existing state regulations regarding the disposal of hazardous waste containing hexavalent chromium. This reduction is necessary to limit program expansions and provide for a

prudent fund reserve in light of the declining balance in the Unified Program Account.

Item 0555-001-0044—For support of Secretary for Environmental Protection. I revise this item by reducing:

- (1) 30—Support from \$10,113,000 to \$8,151,000;
- (5) Amount payable from the Unified Program Account (Item 0555-001-0028) from -\$1,444,000 to -\$982,000;

and by deleting:

- (11.5) Amount payable from the Hazardous Waste Reduction Loan Account (Item 0555-001-0828) (-1,500,000).

I am revising this item to conform to the actions I have taken in Items 0555-001-0028 and 0555-001-0828.

Item 0555-001-0828—For support of Secretary for Environmental Protection. I delete this item and Provision 1.

I am deleting the \$1,500,000 legislative augmentation to assist the metal plating industry in complying with existing state regulations regarding the disposal of hazardous waste containing hexavalent chromium. While certified unified program agencies are intended to assist businesses, it is not appropriate to single out a particular industry for special assistance for failure to comply with environmental rules.

Item 0690-102-0001—For local assistance, Office of Emergency Services.

I am sustaining the \$2,000,000 legislative augmentation related to funding 10 domestic violence programs. This augmentation will ensure services for domestic violence victims are protected in all communities. However, I am directing the Office of Emergency Service (OES) to incorporate these funds into the existing funding for domestic violence shelters and allow the 10 shelters to obtain funding through the grant process currently administered by OES. Providing a separate appropriation for these 10 particular shelters would create an inequitable process, and would allocate more funding per shelter compared to the other 75 shelters that receive funding.

Item 1111-003-0001—For support of Consumer Affairs. I reduce this item from \$450,000 to \$365,000 by reducing:

- (1) 40—Office of Privacy Protection from \$485,000 to \$400,000.

I am deleting the \$85,000 legislative augmentation which would provide funding for the Office of Privacy Protection. Given the fiscal condition of the State, this reduction is necessary to help build a prudent reserve and bring ongoing expenditures in line with existing resources over the longer term.

Item 1760-492—Reappropriation, Department of General Services. I revise this item by deleting Schedule (2.5).

I am eliminating the availability of funding provided to the City of Oakland for the seismic retrofit of the Police Administration Building. Funds have been available since 1994 and the city is still unable to provide the required

matching funds to receive the resources. If the city is able to commit the funds in the future, I will reconsider this request.

Item 1880-001-0001—For support of State Personnel Board. I reduce this item from \$3,888,000 to \$3,753,000 by reducing:

(3) 50.01—Administrative Services from \$2,798,000 to \$2,663,000.

In recognition of potential workload increases associated with the end of the hiring freeze, I am sustaining \$465,000 of this \$600,000 legislative augmentation to provide funding for staff in the Bilingual Services Unit, the Appeals Division, the Examination Services Unit, and for information technology services. I am deleting the \$135,000 for temporary help and related costs. In addition, I am directing the State Personnel Board to develop performance-based measures to evaluate its effectiveness.

Item 2240-105-0001—For transfer to the Emergency Housing and Assistance Fund. I reduce this item from \$5,300,000 to \$4,000,000.

I am reducing the \$1,300,000 legislative augmentation for transfer from the General Fund to the Emergency Housing and Assistance Fund to help build a prudent reserve and bring ongoing expenditures in line with existing resources over the longer term. With these reductions, \$4,000,000 still remains to support the Emergency Housing and Assistance Program (EHAP), which grants funding to local agencies that provide homeless shelter beds and related services.

Item 2240-490—Reappropriation, Department of Housing and Community Development. I delete this item.

I am deleting the reappropriation of \$400,000 in grant funds originally made available in 2001 but never spent by the City of Orange Cove. The 2004-05 budget plan assumes that these funds as well as others that reverted to the General Fund on July 1, 2004, would be available as a resource for the 2004-05 budget.

Item 2600-001-0042—For support of California Transportation Commission. I reduce this item from \$651,000 to \$613,000.

I am reducing this item by \$38,000 to conform to the action I have taken in Item 2660-001-0046.

Item 2600-001-0046—For support of California Transportation Commission. I reduce this item from \$1,000,000 to \$932,000 by reducing:

(1) 10—Administration of California Transportation Commission from \$1,651,000 to \$1,545,000, and

(2) Amount payable from the State Highway Account, State Transportation Fund

(Item 2600-001-0042) from -\$651,000 to -\$613,000.

I am deleting the \$106,000 legislative augmentation to increase staffing at the Commission to restore a Legislative Deputy position that was eliminated in 2003-04 subsequent to being vacant for one year. Given the

fiscal condition of the State, this reduction is necessary to bring ongoing expenditures in line with existing resources over the longer term.

Item 2665-001-0046—For support of High Speed Rail Authority. I reduce this item from \$1,819,000 to \$1,099,000 and by deleting Provision 1.

I am deleting the \$720,000 legislative augmentation for the completion of the final draft of the High Speed Rail Environmental Impact Report (EIR). The Authority has been fully funded to complete the EIR but reports that it redirected a portion of these funds to the draft EIR when required to perform additional work on that document by federal agencies. Given the fiscal condition of the State, this reduction is necessary to bring ongoing expenditures in line with existing resources over the longer term.

I am also revising this item by deleting Provision 1. This provision would have restricted the use of \$300,000 of this item to the legal defense of the environmental documents. By deleting this language I am providing the Authority with the budgetary flexibility it will need to meet its priorities.

Item 3340-001-0001—For support of California Conservation Corps. I reduce this item from \$25,373,000 to \$23,773,000 by reducing:

(1) 10—Training and Work Program from \$57,256,000 to \$55,656,000.

I am reducing this item by \$1,600,000 and 14 positions for the operation of the Ukiah residential facility. The California Conservation Corps is a valuable program that helps protect the environment and promote leadership skills for young men and women. However, in light of the State's current fiscal condition, the Ukiah residential facility was selected for conversion to a non-residential facility after a thorough review of all facilities because there are two other Corps residential facilities, Leggett and Shasta Pacific, nearby that also provide services to the Ukiah area. After the conversion, 15 corps members and one Corps employee will remain at the facility.

Item 3790-494—Reappropriation, Department of Parks and Recreation. I delete this item.

I am deleting this legislative reappropriation for three local parks projects. I am deleting the General Fund reappropriation for the renovation and repair of the La Palma Community Center. Given the fiscal condition of the State, this reduction is necessary to help build a prudent reserve and bring ongoing expenditures in line with existing resources over the longer term. I am also deleting the reappropriation of Proposition 12 bond funds for the Paxton-Arleta Softball/Soccer Field. This use of Proposition 12 bond funds is inconsistent with the purpose for which the funds were originally appropriated and therefore not eligible for reappropriation. Finally, I am deleting the reappropriation for the Community Build Youth Center. These

bond funds were appropriated in the Budget Act of 2000 and more than adequate time has passed for the funds to be expended for this purpose.

Item 3940-001-0001—For support of State Water Resources Control Board. I revise this item by reducing:

- (1) 10-Water Quality from \$387,080,000 to \$386,878,000, and
- (7) Amount payable from the Waste Discharge Permit Fund (Item 3940-001-0193) from
-\$55,913,000 to -\$55,711,000.

I am revising this item to conform to the action I have taken in Item 3940-001-0193.

Item 3940-001-0193—For support of State Water Resources Control Board. I reduce this item from \$55,913,000 to \$55,711,000.

I am deleting the \$202,000 legislative augmentation for activities related to the development of statewide septic tank system standards. The State Water Resources Control Board will continue its efforts to develop the standards with the remaining \$287,000 during 2004-05, and will not need the additional resources provided by this augmentation.

Item 4260-001-0001—For support of Department of Health Services. I delete Provision 3 of this item to make a technical correction to the Budget Bill.

Provision 3 in Item 4260-001-0001 refers to provisional language in Item 4260-111-0001 that was removed from the Budget Bill, and is therefore no longer necessary.

Item 4260-001-0890—For support of Department of Health Services. I delete Provision 5.

I am deleting Provision 5, which would require the Department of Health Services (DHS) to include in its application for funding from the federal Centers for Disease Control and Prevention's (CDC) Public Health Preparedness and Responses to Bioterrorism Program a request for the establishment of reporting procedures for low-level radioactive waste. Notwithstanding the merits of reporting low-level radioactive waste, this request is outside the scope of the State's Cooperative Agreement with the CDC. Including this provision in the application will likely delay the availability of federal funds.

Item 4260-101-0001—For local assistance, Department of Health Services. I reduce this item from \$11,728,217,000 to \$11,727,467,000 by reducing:

- (3) 20.10.030-Benefits (Medical Care and Services) from \$28,531,016,000 to \$28,529,516,000;
 - (6) Amount payable from the Federal Trust Fund (Item 4260-101-0890) from -\$185,577,411,000 to -\$18,576,661,000;
- and by deleting Provision 15.

While I recognize the important services that these pharmacies provide to Californians living with HIV/AIDS, I am reducing this item by \$750,000

and deleting this provision because providing additional Medi-Cal pharmacy compensation to HIV/AIDS clinics would create unacceptable program inequities that will lead to unnecessary litigation against the State. The budget will ensure that those suffering with HIV/AIDS will continue to have access to critically important drugs.

The concept of a reimbursement model that incorporates the features identified in this proposal should be considered as part of an overall analysis of Medi-Cal provider reimbursement.

I am also deleting a \$750,000 augmentation from the Federal Trust Fund in Item 4260-101-0890 to conform to this action.

In order to correct a technical error in the Budget Bill, I am also reducing the amount payable from the Federal Trust Fund (Item 4260-101-0890) by \$167,000,000,000.

Item 4260-101-0890—For local assistance, Department of Health Services. I reduce this item from \$18,577,411,000 to \$18,576,661,000 and delete Provision 2.

I am reducing this item by \$750,000 to conform to my action in Item 4260-101-0001.

I am deleting Provision 2 because it is not possible to obtain federal matching funds without first spending General Fund resources, which have not been appropriated for this purpose. Provision 2 would require the Department of Health Services to expand the scope of the federally required LA County Health Department audit to include an unrelated audit.

Item 4440-101-0001—For local assistance, Department of Mental Health. I reduce this item from \$79,676,000 to \$59,718,000 by reducing:
(1) 10.25-Community Services-Other Treatment from \$1,439,054,000 to \$1,438,746,000; and
(1.5) 10.47-Community Services-Children's Mental Health Services from \$20,000,000 to \$350,000.

I am reducing this item by \$308,000 to eliminate supplemental funding to thirteen counties that is used to match federal rehabilitation funds. This action prioritizes the limited funding available for other mental health programs that reach all or most counties, and is necessary to help build a prudent reserve and bring ongoing expenditures in line with existing resources over the long term.

I am reducing by \$19,650,000 the \$20,000,000 legislative augmentation to restore funding for the Children's System of Care program. This action is necessary to help build a prudent reserve and bring ongoing expenditures in line with existing resources over the long term. \$350,000 remains in this item for support of the Cathie Wright Technical Assistance Center, which provides training and technical assistance to counties to implement integrated health and human services programs.

During favorable economic conditions, the State has been able to fund a higher level of services to address the mental health needs of children. With current limited resources, however, priority must be placed on the

provision of direct and essential services to these children, which will continue to be provided by the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program and local county realignment funding. With current limited state resources, however, priority must be placed on the provision of direct and essential services to these children. By maintaining the Cathie Wright Technical Assistance Center, it is my hope that the enhanced coordination of services within counties can be maintained until the economic situation improves.

Item 5175-101-0001—For local assistance, Department of Child Support Services. I reduce this item from \$252,159,000 to \$250,799,000 by reducing:

- (1) 10-Child Support Services from \$978,519,000 to \$974,519,000;
- (a) 10.01-Child Support Administration from \$875,095,000 to \$871,095,000;
- (3) Amount payable from the Federal Trust Fund (Item 5175-001-0890) from -\$447,175,000 to -\$444,535,000;

and by deleting Provision 9.

I am deleting the \$1,360,000 legislative augmentation for the Los Angeles County local child support agency. On the basis of equity and given the current condition of the General Fund, I cannot support this expenditure. With this reduction, \$871,095,000 remains for administrative support of local child support agencies.

I am also deleting a \$2,640,000 legislative augmentation from the Federal Trust Fund in Item 5175-101-0890 to conform to this action.

Item 5175-101-0890—For local assistance, Department of Child Support Services. I reduce this item from \$447,175,000 to \$444,535,000 by reducing:

I am reducing this item by \$2,640,000 to conform to the action I have taken in Item 5175-101-0001.

Item 5180-101-0001—For local assistance, Department of Social Services. I reduce this item from \$2,881,929,000 to \$2,881,900,000 by reducing:

- (1) 16.30-CalWORKs from \$5,231,280,000 to \$5,191,280,000;
- (2) 16.65-Other Assistance Payments from \$1,522,917,000 to \$1,522,888,000; and
- (6) Amount payable from the Federal Trust Fund (Item 5180-101-0890) from -\$3,677,127,000 to -\$3,637,127,000.

I am deleting the \$29,000 legislative augmentation for increased costs resulting from providing California Food Assistance Program benefits to

convicted drug felons. This technical correction conforms to removal of the language from the associated Budget Trailer Bill.

I am also revising this item to conform to the action I have taken in Item 5180-101-0890.

Item 5180-101-0890—For local assistance, Department of Social Services. I reduce this item from \$3,677,127,000 to \$3,637,127,000.

I am reducing \$40,000,000 in federal Temporary Assistance for Needy Families Block Grant funds for CalWORKs employment services to nullify the effect of language included in the Budget Trailer Bill to provide unspent 2003-04 CalWORKs single allocation funds to counties in 2004-05. This language increases current spending and reduces the ability to maintain funding for the CalWORKs program within available federal and state resources.

While the budget ensures resources necessary to maintain existing benefits and services, this veto will improve the State's ability to continue these essential benefits and services in the future.

Item 5180-141-0001—For local assistance, Department of Social Services. I reduce this item from \$405,478,000 to \$405,454,000 by reducing:

(1) 16.75—County Administration and Automation Projects from \$1,024,616,000 to \$1,024,557,000; and

(3) Amount payable from the Federal Trust Fund (Item 5180-141-0890) from -\$580,825,000 to -\$580,790,000.

I am deleting the \$59,000 (\$24,000 General Fund and \$35,000 Federal Trust Fund) legislative augmentation for increased administration costs resulting from providing Food Stamp benefits to convicted drug felons. This technical correction conforms to removal of the language from the associated Budget Trailer Bill.

Item 5180-141-0890—For local assistance, Department of Social Services. I reduce this item from \$580,825,000 to \$580,790,000.

I am revising this item to conform to the action I have taken in Item 5180-141-0001.

Item 5180-151-0001—For local assistance, Department of Social Services. I reduce this item from \$768,509,000 to \$751,364,000 by reducing:

(1) 25.30—Children and Adult Services and Licensing from \$2,049,695,000 to \$2,032,550,000;

and by deleting Provisions 11 and 12.

I am reducing the \$17,145,000 legislative augmentation for the Child Welfare Services Augmentation. During better economic times the State was able to pay the counties' share-of-cost to provide additional social workers for Child Welfare Services. However, due to limited state resources in the General Fund, the State is unable to continue to waive the 30 percent nonfederal county share-of-cost for the Child Welfare Services Augmentation in this Budget. Assuming that counties backfill this

reduction with their own resources, \$91,440,000 in total funds remains available to counties to support this important program. I am deleting Provision 12 to conform to this action.

The Legislature adopted language that would require the Department of Social Services, with input from the Continuing Care Advisory Committee, to establish a panel to develop governance standards for applicants and operators of Continuing Care Retirement Communities, on or by July 1, 2005. I am deleting Provision 11, as it is inconsistent with efforts to streamline government and consolidate or eliminate boards and commissions to achieve operational efficiencies.

Item 5240-001-0001—For support of the Department of Corrections. I reduce this item from \$5,311,082,000 to \$5,309,719,000 by reducing:

(2) 22—Health Care Services Program from \$942,126,000 to \$940,763,000.

I am deleting the \$1,363,000 legislative augmentation associated with the denial of the department's plan to reclassify 23.5 vacant staff psychiatrist positions to nurse practitioners. The department will reclassify these positions thereby eliminating the need for the augmentation. The reclassification represents a reasonable effort to address the department's increasing medical and mental health costs through improved efficiencies that do not compromise or lessen the provision of inmate care. The reclassification is consistent with policies adopted by the Department of Mental Health. The hiring of Nurse Practitioners will also assist in maintaining continuity of mental health care due to the reduced need of temporary contract staff.

Item 6110-001-0001—For support of Department of Education. I reduce this item from \$36,443,000 to \$36,193,000 by reducing:

(2) 20—Instructional Support from \$53,393,000 to \$53,143,000.

I am reducing a portion of this state operations budget by \$250,000 to provide for a prudent General Fund reserve in light of the State's current fiscal condition. Over the last several years, other constitutional offices have had to absorb significant General Fund reductions without the benefit of the substantial federal funds provided to the State Department of Education. I would note that the Department has received \$2.1 million in federal fund augmentations in this budget, an increase that far exceeds this reduction.

Item 6110-130-0001—For local assistance, Department of Education. I reduce this item from \$10,300,000 to \$9,035,000.

I am sustaining \$9,035,000 for the Advancement Via Individual Determination program (AVID) to provide training to teachers and school leaders and assistance to schools in implementing this program that helps students prepare for and be successful in college that might otherwise not attend. During better economic times the State was able to fully support a variety of worthy programs. However, due to limited resources in the

General Fund, the State is unable to continue to sustain the same level of support.

In making this reduction I encourage districts that currently participate in the AVID program to utilize some of the existing staff development dollars available to them. This budget already includes \$957 million for staff development and teacher training programs.

I am revising Provision 1 to conform to this action.

“1. Of the funds appropriated, \$1,300,000 is available for administration of the Advancement Via Individual Determination (AVID) centers and \$6,000,000 is available for competitive outreach grants to local education agencies for the AVID program. Notwithstanding any other provision of law, the remaining \$3,000,000 \$1,735,000 shall be used solely for the provision of advanced placement teacher training or tutoring services.”

Item 6110-161-0890—For local assistance, Department of Education. I reduce this item from \$1,091,674,000 to \$1,090,974,000 by reducing:

(7) 10.60.050.032-IDEA, Family Empowerment Centers from \$3,432,000 to \$2,732,000,

and by deleting Provision 11.

I am deleting the legislative augmentation of \$700,000 to establish four additional family empowerment centers. An increase in the number of centers is premature, as funding has been provided to conduct a study to evaluate the effectiveness of the twelve existing family empowerment centers. If the study shows these centers are effective in helping students with special needs, their families and schools, I will consider an augmentation to provide better access.

I am deleting Provision 11 to conform to this action.

Item 6110-164-0001—For local assistance, Department of Education. I delete this item and Provision 1.

I am deleting the \$1,700,000 legislative augmentation to restore funding for the School-to-Career program. While I am very supportive of vocational education, I am interested in a more comprehensive proposal to reform and improve the State's efforts in this area rather than sustaining small programs that help a few schools. The State provides an estimated \$2 billion for vocational education in programs such as Regional Occupational Centers and Programs, secondary school vocational programs, apprentice programs and Community College programs. The multiplicity of programs and organizations involved makes it difficult to ensure accountability and to ensure all of California's students receive the kind of training and education they need to perform well in good jobs. The grants provided by this program were intended to provide short-term resources to assist local partnerships to implement activities and working relationships that would be sustained after state funds expire. Once a

program is established, it is expected that local businesses provide ongoing support to the extent that they benefit from these partnerships.

I am deleting Provision 1 to conform to this action.

Item 6110-485-Reappropriation, Department of Education, Proposition 98. I revise this item from \$320,249,000 to \$319,749,000, by deleting:

(8) \$500,000, on a one-basis, to the State Department of Education for the establishment of a web-model that would differentiate and compare the capabilities of electronic assessment resources. These funds would be available contingent upon legislation for this purpose.

I am deleting the legislative augmentation of \$500,000 for the establishment of a web-based model that would allow for comparisons of software packages used to evaluate pupil assessment results. Given that the State currently spends \$112.6 million on student testing and assessment, the establishment of this model may have merit. However, I would like to consider the expenditure of additional state funds for this purpose, in conjunction with the pending legislative measure. Until I can evaluate the final legislative proposal, it is premature to appropriate funds in the Budget Act for this purpose.

Item 6360-001-0407—For support of the Commission on Teacher Credentialing. I reduce this item from \$14,411,000 to \$14,211,000 by reducing:

(1) 10—Standards for Preparation and Licensing of Teachers from \$14,650,000 to \$14,450,000.

I am deleting the \$200,000 legislative augmentation to fund an additional 2.0 positions to address the credential processing backlog. This augmentation is unnecessary because the Commission can reduce the credentialing backlog with the staff provided in the budget. Providing credentialed teachers for all pupils is a goal of this Administration. The Commission should adopt greater efficiencies in conjunction with the review being conducted by the State Auditor, which is expected to be completed in the Fall of 2004, in order to eliminate the credential processing backlog.

Item 6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98). I reduce this item from \$2,810,212,000 to \$2,778,803,000 by reducing:

(4) 10.10.040—Partnership for Excellence from \$225,000,000 to \$193,591,000;

and by revising Provision 4.

I am reducing this item by reducing the funding for the Partnership for Excellence program by \$31,409,000 to maintain the May Revision Proposition 98 spending level for community colleges. Instead, funds were provided to support additional student enrollments and to maintain lower fees for Bachelor degree holders. With this reduction, \$193,591,000 will still be available for this program through the general apportionments pursuant to Provision 4(a) of this item. The Legislature reduced the rigor

of the accountability structure for this program proposed in the Governor's Budget. Because this program lacks accountability at the district level, it is appropriate that this funding be reduced. However, given my strong commitment to the Community Colleges and the extraordinary work they do in educating over a million full-time equivalent students seeking transfer, technical and basic skills every year, I am willing to restore this funding in the 2005–06 budget provided that district level goals and performance evaluations are incorporated into the accountability structure as had been proposed.

I revise provision 4(a) as follows to conform to this action:

“4. (a) The amount appropriated in Schedule (4) shall be made available to districts in the same manner as the general apportionment funding in Schedule (1), and shall be made available ~~in the same amount provided to each district for the Partnership for Excellence program in the 2003–04 fiscal year, including the funding deferred for this program pursuant to Section 84321 of the Education Code, and notwithstanding the basic aid status of any district.~~ As a condition of receiving these funds, the districts shall first agree to assure that courses related to student needs for transfer, basic skills, and vocational and workforce training are accorded the highest priority and are provided to the maximum extent possible within the budgeted funds.”

Item 8260–101–0001—For local assistance, California Arts Council. I delete this item.

I am deleting the \$1,000,000 legislative augmentation for local arts grants. Given the fiscal condition of the State, this reduction is necessary to help build a prudent reserve and bring ongoing expenditures in line with existing resources over the longer term.

Item 8570–101–0001—For local assistance, Department of Food and Agriculture. I reduce this item from \$6,078,000 to \$5,528,000 by reducing:

(1) 11–Agricultural Plant and Animal, Pest and Disease Prevention from \$6,078,000 to \$5,528,000.

I am deleting the \$550,000 legislative augmentation that would provide specified Los Angeles County employees performing pest detection and eradication activities with permanent employee status. This augmentation is associated with pending legislation and I am opposed to the appropriation of funds for legislation that has not yet been approved by the Legislature and the Administration.

Item 8665–001–9326—For support of California Consumer Power and Conservation Financing Authority. I reduce this item from \$1,224,000 to \$424,000 by reducing:

(1) 15–Energy Acquisition from \$738,000 to \$258,000;

(2) 20–Planning and Policy Development from \$486,000 to \$166,000;

- (3) 30.01—Administration from \$343,000 to \$119,000; and
(4) 30.02—Distributed Administration from -\$343,000 to -\$119,000.

I am deleting the \$800,000 legislative augmentation to increase funding for California Power Authority (Authority) activities. I proposed in my January 10 Budget to eliminate the Authority as a first step towards reorganizing California's energy agencies. While further energy reorganizations may be proposed, the continued existence of the Authority will not contribute to improving California's energy situation and its elimination need not wait for more comprehensive energy reorganization proposals. Other State energy agencies already perform activities similar to those of the Authority. Elimination of the Authority is an appropriate first step to streamline energy programs and I renew my call on the Legislature to send me legislation statutorily eliminating this unnecessary organization.

Item 8830-001-0001—For support of California Law Revision Commission. I reduce this item from \$662,000 to \$512,000 by reducing:

- (1) 10—Law Revision Commission from \$677,000 to \$527,000.

I am deleting the \$150,000 legislative augmentation. Given the fiscal condition of the State, this reduction is necessary to help build a prudent reserve and bring ongoing expenditures in line with existing resources over the longer term. With this reduction, \$527,000 remains to support the Commission's programs.

With the above deletions, revisions, and reductions, I hereby approve Senate Bill 1113.

Cordially,

ARNOLD SCHWARZENEGGER, Governor

Above items placed on unfinished business file.

Receipt

I acknowledge receipt this 31st day of July 2004 at 1:58 p.m., of the Governor's statement of the items of appropriation reduced or eliminated from Senate Bill 1113, delivered to me personally by Pamela K. Oto.

PAULA ROSSETTO
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures was introduced, read the first time and transmitted to the Committee on Rules:

Senate Concurrent Resolution 93: By Senator Torlakson—Relative to Bone and Joint Decade National Awareness Week.

Senate Joint Resolution 34: By Senator Ashburn and Assemblymember Maze—Relative to Lemoore Military Operations Area (MOA) Initiative.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Constitutional Amendment 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIX A thereof, relating to transportation.

Resolution read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 2849—An act to amend Sections 66602 and 66606 of the Education Code, relating to the California State University.

Bill read second time and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1725—An act to amend Sections 7197, 8617, and 8662 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

Amendments Adopted

Amendments to AB 1725 proposed by Senator Figueroa were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2716—An act to amend Sections 14087.96, 14087.961, 14087.9625, 14087.966, and 14087.969 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time.

Amendments Adopted

Amendments to AB 2716 proposed by Senator Karnette were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2252—An act to amend Sections 11000, 11000.1, 11004.5, 11018.1, and 11018.5 of, to add Chapter 2 (commencing with Section 11210) to Part 2 of Division 4 of, to repeal Sections 11004.6, 11018.8, 11018.9, 11018.10, 11018.11, and 11024 of, and to repeal Article 8.5 (commencing with Section 10250) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, to amend Sections 1365.1, 1367.1, 1689.5, and 1689.24 of the Civil Code, to amend Section 25021 of the Corporations Code, to amend Section 30610 of the Public Resources Code, and to amend Sections 998, 2188.8, 2188.9, and 7280 of the Revenue and Taxation Code, relating to time-share developments.

Bill read third time.

Amendments Adopted

Amendments to AB 2252 proposed by Senator McPherson were read and adopted and the measure ordered printed and to second reading.

BILL REMOVED FROM INACTIVE FILE

Without objection, AB 2216 was removed from the inactive file.

Assembly Bill 2216—An act to amend Section 7073 of, and to add Section 7069.1 to, the Business and Professions Code, and to amend Section 802 of the Penal Code, relating to contractors.

Bill read second time.

Amendments Adopted

Amendments to AB 2216 proposed by Senator Figueroa were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2167)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2167 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2167

Assembly Bill 2167—An act to amend Section 1029.8 of the Code of Civil Procedure, and to amend Section 25506 of, and to add Section 25501.5 to, the Corporations Code, relating to securities.

Bill read.

Motion to Amend

Amendments to AB 2167 proposed by Senator Escutia were read and adopted and the measure ordered printed and to second reading.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Oller.

The following Senators were granted leaves of absence for the day due to family illness: Senators Dunn and Vincent.

REQUEST TO ADJOURN IN MEMORIAM

Senator Dunn requested that when the Senate adjourns this day it do so in memory of Sr. Nancy O'Connor, CSJ of Orange.

Senators Dunn and Kuehl requested that when the Senate adjourns this day it do so in memory of Joanne Freilich of Los Angeles.

Senator Kuehl requested that when the Senate adjourns this day it do so in memory of Zenobia "Nobi" Turrell of San Diego.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 9:30 a.m., Thursday, August 5, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIFTIETH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, August 5, 2004

The Senate met at 9:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—35.
Quorum present.

(NOTE: Senator Ortiz will be excused this day on legislative business, Senators Dunn and Vincent will be excused this day due to family illness, and Senator Bowen will be excused this day due to illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Dear Lord, Help us to understand that without You we are like houses that have not yet had the lights turned on. We keep adding furniture, but the rooms remain dark. Enter our hearts with the light of Your love that our houses, our very selves, may become warm and inviting homes.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Margett led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 4, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 1391	SB 1437	SB 1643
SB 1776	SB 1906	

Above measures ordered enrolled.

Assembly Chamber, August 4, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 246	SB 260	SB 1163
SB 1189	SB 1264	SB 1615
SB 1764	SB 1840	SB 1847

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, August 4, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

SCR 65

Above resolution ordered enrolled.

Assembly Chamber, August 4, 2004

The Honorable Greg Schmidt
Secretary of the Senate

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 1881, AB 2161, AB 3085 to the Senate.

Sincerely,

E. DOTSON WILSON
Chief Clerk

Above measures ordered held at Desk.

REQUESTS TO DISPENSE WITH JOINT RULES

The following request was presented by Senator Morrow:

Senate Chamber, August 5, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(12) in order that AB 2268 may be reported by the Committee on Veterans Affairs after the deadline.

SENATOR MORROW

The following request was presented by Senator Escutia:

Senate Chamber, August 5, 2004

Mr. Secretary: I request permission to introduce a resolution to dispense with Joint Rule 61(b)(12) in order that AB 2547 may be reported by the Committee on Judiciary after the deadline.

SENATOR ESCUTIA

Recommendation of Rules Committee

The Committee on Rules recommends that permission be granted to introduce a resolution as requested.

BURTON, Chair

RESOLUTION TO DISPENSE WITH JOINT RULES

Resolved, That Joint Rule 61(b)(12) be dispensed with as requested.

Resolution read and presented by Senator Johnson.

Roll Call

The roll was called and the resolution was adopted by the following vote.

AYES (27)—Senators Aanestad, Alarcón, Ashburn, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Morrow, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, and Vasconcellos.

NOES (0)—None.

SENATE BILL 311 RETURNED TO THE ASSEMBLY

Without objection, the action was rescinded whereby the Senate concurred in Assembly amendments to SB 311 and the bill was returned to the Assembly for further action.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill 493—An act to add Section 6608.5 to the Welfare and Institutions Code, relating to sexually violent predators, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1725—An act to amend Sections 7197, 8617, and 8662 of the Business and Professions Code, relating to structural pest control.

Bill read second time and ordered to third reading.

Assembly Bill 2716—An act to amend Sections 14087.96, 14087.961, 14087.9625, 14087.966, and 14087.969 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 2216—An act to amend Section 7073 of, and to add Section 7069.1 to, the Business and Professions Code, and to amend repeal, and add Section 802 of the Penal Code, relating to contractors.

Bill read second time and ordered to third reading.

Assembly Bill 2167—An act to amend Section 1029.8 of the Code of Civil Procedure, and to amend Section 25506 of, and to add Section 25501.5 to, the Corporations Code, relating to securities.

Bill read second time and ordered to third reading.

Assembly Bill 2252—An act to amend Sections 11000, 11000.1, 11004.5, 11018.1, and 11018.5 of, to add Chapter 2 (commencing with Section 11210) to Part 2 of Division 4 of, to repeal Sections 11003.5, 11004.6, 11018.8, 11018.9, 11018.10, 11018.11, and 11024 of, and to repeal Article 8.5 (commencing with Section 10250) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, to amend Sections 1365.1 and 1367.1 of the Civil Code, to amend Section 25021 of the Corporations Code, to amend Section 30610 of the Public Resources Code, and to amend Sections 998, 2188.8, 2188.9, and 7280 of the Revenue and Taxation Code, relating to time-share developments.

Bill read second time and ordered to third reading.

MEASURES WITHDRAWN FROM COMMITTEE

Without objection, **ACR 195** and **AJR 55** were withdrawn from Committee and placed on a Special Consent Calendar.

SPECIAL CONSENT CALENDAR

Assembly Joint Resolution 55—Relative to the federal Violence Against Children Act of 2003.

Resolution read.

Assembly Concurrent Resolution 195—Relative to braille instruction.

Resolution read.

Roll Call

The roll was called and the resolutions were adopted by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett,

McClintock, Morrow, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Vasconcellos.

NOES (0)—None.

Resolutions ordered transmitted to the Assembly.

RECOGNITION OF SENATE FELLOWS

The Senate took the opportunity to recognize and thank the 2003–2004 Senate Fellows for their dedication and contributions to the legislative process and the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Margett moved that **AB 712** be placed on the inactive file.

Senator Ducheny moved that **AB 2953** be placed on the inactive file.

Senator Figueroa moved that **AB 2008** be placed on the inactive file.

Motions carried.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Soto moved that **AB 2234** be taken from the inactive file and placed on the second reading file.

Motion carried.

Senator Romero Presiding

REQUEST FOR UNANIMOUS CONSENT (AB 493)

Senator Machado asked for, and was granted, unanimous consent to take up AB 493 at this time.

Consideration of Assembly Bill 493

Assembly Bill 493—An act to add Section 6608.5 to the Welfare and Institutions Code, relating to sexually violent predators, and declaring the urgency thereof, to take effect immediately.

Roll Call

The roll was called and the measure was adopted by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

RECESS

At 10:14 a.m., the Senate recessed in order to convene in extraordinary session.

REASSEMBLED

At 10:16 a.m., the Senate reconvened.

Hon. Gloria Romero, of the 24th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill 2844—An act to amend Section 27801 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (2)—Senators Aanestad and Johnson.

Bill ordered transmitted to the Assembly.

Assembly Bill 2680—An act to amend Section 22375 of the Education Code, and to amend Section 20195 of the Government Code, relating to the State Teachers' Retirement System.

Bill read third time and presented by Senator Machado.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Machado moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1499—An act to amend Section 502.01 of the Penal Code, relating to child pornography.

Bill read third time and presented by Senator McPherson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 474—An act to amend Sections 60201 and 60203 of, and to repeal Section 60202 of, the Government Code, relating to districts.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1955—An act to add Section 1140.1 to the Insurance Code, relating to life insurance.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2684—An act to amend Section 9601.5 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time and presented by Senator Escutia.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Escutia moved a call of the Senate.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2680)**

On motion of Senator Machado, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2680 was passed by the following vote:

AYES (23)—Senators Alarcón, Brulte, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado,

McPherson, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2644—An act to amend Section 42407 of, and to add Chapter 3.2 (commencing with Section 39630) to Part 2 of Division 26 of, the Health and Safety Code, relating to air pollution.

Bill read third time and presented by Senator Sher.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Sher moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1790—An act relating to school facilities.

Bill read third time and presented by Senator Perata.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Perata moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 858—An act to add Article 3.5 (commencing with Section 221.2) to Chapter 2 of Part 1 of the Education Code, relating to schools.

Bill read third time.

Motion to Amend

Senator Denham moved the adoption of amendments to AB 858.

Amendments read.

MOTION TO LAY ON THE TABLE

Senator Perata moved that the amendments to AB 858 be laid on the table.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (17)—Senators Alarcón, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, and Torlakson.

NOES (11)—Senators Aanestad, Ashburn, Brulte, Denham, Hollingsworth, Johnson, Margett, McPherson, Morrow, Oller, and Poochigian.

Motion to Amend

Senator Ashburn moved the adoption of amendments to AB 858.
Amendments read.

MOTION TO LAY ON THE TABLE

Senator Perata moved that the amendments to AB 858 be laid on the table.

Roll Call

The roll was called and the motion carried by the following vote:

AYES (17)—Senators Alarcón, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, and Torlakson.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Johnson, Margett, McPherson, Morrow, Oller, and Poochigian.

Consideration of Assembly Bill 858

Bill 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 1810—An act to add Division 21 (commencing with Section 51000) to the Financial Code, relating to automated teller machines.

Bill read third time and presented by Senator Ducheny.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Ducheny moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2160—An act to add Section 11055 to the Penal Code, relating to foreign prosecution.

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (29)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Poochigian, Romero, Scott, Sher, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 868—An act to amend Sections 50710.1 and 50712.5 of the Health and Safety Code, relating to migrant farm labor centers.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (7)—Senators Ackerman, Brulte, Hollingsworth, Margett, McClintock, Morrow, and Oller.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 858)**

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 858 was refused passage by the following vote:

AYES (17)—Senators Alarcón, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Soto, Speier, and Torlakson.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Florez, Hollingsworth, Johnson, Margett, Morrow, Oller, and Poochigian.

Motion to Reconsider

Senator Alarcón moved to reconsider the vote whereby AB 858 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered returned to third reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2067—An act to amend, repeal, and add Sections 56030, 56700, and 56886.5 of, and to add and repeal Section 56826.5 of, the Government Code, relating to local government reorganization.

Bill read third time and presented by Senator Johnson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Burton, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 1175—An act to amend Sections 44775.1 and 44775.8 of, and to add Section 44775.9 to, the Education Code, relating to public schools.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Soto, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2139—An act to amend Sections 27315, 27360, 27360.5, 27361, 27362, and 27365 of the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Figueroa.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Figueroa moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2800—An act to amend Sections 66400, 66401, 66402, 66403, 66404, and 66405 of, and to add Article 14 (commencing with Section 32440) to Chapter 3 of Part 19 of, the Education Code, relating to academic materials.

Bill read third time and presented by Senator McPherson.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator McPherson moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1847—An act to add Section 22651.05 to the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, McClintock, McPherson, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 753—An act to amend Section 22820 of the Government Code, relating to public employee health benefits, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Battin.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (30)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, and Torlakson.

NOES (1)—Senator McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, and Torlakson.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 113—An act to amend Sections 5090.24 and 5090.35 of the Public Resources Code, relating to off-highway motor vehicles.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Poochigian, Romero, Scott, Sher, Soto, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2281—An act to amend Sections 1179.1, 1179.2, and 1179.5 of, and to amend the heading of Part 5 (commencing with Section 1179) of Division 1 of, the Health and Safety Code, relating to rural health.

Bill read third time and presented by Senator Chesbro.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Chesbro moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1706—An act to amend Section 5290 of the Family Code, relating to assignment orders.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Romero, Scott, Sher, Soto, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 99—An act to amend Section 977.2 of the Penal Code, relating to criminal procedure.

Bill read third time and presented by Senator McPherson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Poochigian, Romero, Scott, Soto, and Torlakson.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2930—An act to amend Sections 3303 and 3304 of the Government Code, relating to public safety officers.

Bill read third time and presented by Senator McPherson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Ackerman, Alarcón, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Perata, Poochigian, Romero, Scott, Sher, Soto, and Torlakson.

NOES (3)—Senators Ashburn, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2281)**

On motion of Senator Chesbro, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2281 was passed by the following vote:

AYES (23)—Senators Aanestad, Alarcón, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Perata, Romero, Scott, Sher, Soto, and Torlakson.

NOES (9)—Senators Ackerman, Ashburn, Brulte, Hollingsworth, Johnson, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2848—An act to amend Sections 285, 286, 296, 331.1, 331.2, 426, 672, 11701, 11704.5, 11710, and 11723 of the Vehicle Code, relating to all-terrain vehicles.

Bill read third time and presented by Senator Brulte.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Perata, Poochigian, Romero, Scott, Sher, Soto, and Torlakson.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2339—An act to amend Sections 33007 and 92030 of, and to add Section 66602.5 to, the Education Code, relating to education governance.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Perata, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1969—An act to add Sections 89500.7 and 92611.7 to the Education Code, relating to public postsecondary education.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Ashburn, Battin, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Perata, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (8)—Senators Aanestad, Ackerman, Brulte, Hollingsworth, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2973—An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Poochigian.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (30)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Brulte, Burton, Cedillo, Chesbro, Denham, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock,

McPherson, Morrow, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (0)—None.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Brulte, Burton, Cedillo, Chesbro, Denham, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2644)**

On motion of Senator Sher, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2644 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1790)**

On motion of Senator Perata, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 1790 was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2684)**

On motion of Senator Escutia, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2684 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1810)**

On motion of Senator Ducheny, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 1810 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2139)**

On motion of Senator Figueroa, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2139 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, Murray, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (7)—Senators Aanestad, Ackerman, Denham, Hollingsworth, McClintock, Morrow, and Oller.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2800)**

On motion of Senator McPherson, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2800 was refused passage by the following vote:

AYES (18)—Senators Alarcón, Alpert, Battin, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Karnette, Machado, Margett, McPherson, Morrow, Murray, Perata, Romero, Scott, and Torlakson.

NOES (3)—Senators Burton, Cedillo, and Soto.

Motion to Reconsider

Senator McPherson moved to reconsider the vote whereby AB 2800 was refused passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered returned to third reading.

MOTION TO PRINT IN JOURNAL

Senator Chesbro requested that the following letter of intent be printed in the Journal:

August 5, 2004

*Senator John L. Burton
President pro Tempore*

Re: SB 1119

Dear Senator Burton:

I would like to provide clarification to an issue that has been raised with regard to SB 1119.

It is not the intent of Section 6 of SB 1119 to eliminate the Attorney Generals' duty to insert a financial impact statement, prepared pursuant to Elections Code Section 9087, after the title and summary for Senate

Constitutional Amendment 4, adopted by the Legislature during the 2003–04 Regular Session.

If there are any questions, please contact me.

Sincerely,

WESLEY CHESBRO
Senator, 2nd District

REQUESTS TO BE ADDED TO ROLL CALL

August 5, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 2680—Aye	AB 1955—Aye	AB 2160—Aye
AB 868—Aye	AB 2067—Aye	AB 1175—Aye
AB 1847—Aye	AB 753—Aye	AB 1706—Aye
AB 2930—Aye	AB 2281—Aye	AB 2848—Aye
AB 2339—Aye	AB 1969—Aye	

JOHN L BURTON, President pro Tempore

August 5, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 493—Aye	AJR 87—Aye	AB 2844—Aye
AB 2680—No	AB 1175—Aye	AB 2139—No
AB 113—Aye		

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to legislative business: Senator Ortiz.

The following Senators were granted leaves of absence for the day due to family illness: Senators Dunn and Vincent.

The following Senator was granted leave of absence for the day due to illness: Senator Bowen.

FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE SENATE DISPENSED WITH

At 11:50 a.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, August 9, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

State Capitol, August 4, 2004

Madam President: The Senate Rules Committee has made the following appointments to boards and commissions:

Appointed Mr. Richard A. Hudgins of Sutter as a member of the Agricultural Cooperative Bargaining Associations Advisory Committee to serve at the pleasure of the Rules Committee.

Appointed Chief Heather Fong of San Francisco as a member of the Criminal Index and Identification System Advisory Committee to serve at the pleasure of the Rules Committee.

Appointed Ms. Erica Jacquez-Santos of Lakewood as a member of the Domestic Violence Program Advisory Council (DHS) to serve at the pleasure of the Rules Committee.

Appointed Ms. Fiona Ma of San Francisco as a member of the California Earthquake Insurance Authority Advisory Panel to serve for a term ending January 1, 2006.

Appointed Ms. Sejal Choksi of Moraga as a member of the Oil Spill Technical Advisory Committee to serve at the pleasure of the Rules Committee.

BURTON, Chair

State Capitol, August 5, 2004

The Committee on Rules has re-referred the following measures to committee:

Appropriations—AB 2006.

Budget and Fiscal Review—AB 655.

Veterans Affairs—AB 2268.

State Capitol, August 4, 2004

Madam President: Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 5–0, has re-referred the following bills to committee:

SB 615 (Cedillo) to Revenue and Taxation,
AB 2451 (Longville) to Health and Human Services, and
AB 2478 (Cogdill) to Agriculture and Water Resources.

Pursuant to Senate Rule 29.10, the Senate Rules Committee, on a vote of 5–0, has returned SB 749 (Escutia) to the Senate Floor.

BURTON, Chair

Committee on Appropriations

Date of Hearing, August 4, 2004

Madam President: The Committee on Appropriations, to which were referred:

AB 1157	AB 2431	AB 2554	AB 2851
AB 1934	AB 2439	AB 2565	AB 2853
AB 1953	AB 2445	AB 2591	AB 2900
AB 2032	AB 2457	AB 2647	AB 2982
AB 2056	AB 2499	AB 2681	AB 3022
AB 2224	AB 2519	AB 2683	AB 3094
AB 2303	AB 2520	AB 2760	
AB 2377	AB 2530	AB 2838	

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bills ordered to second reading.

Senate Chamber, August 5, 2004

Madam President: The Committee on Appropriations, to which was referred:

AB 2751

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended, but first amend, and re-refer to the Committee on Rules.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, August 5, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 1155	AB 2005	AB 2485	AB 2909
AB 1240	AB 2086	AB 2527	AB 3025
AB 1583	AB 2197	AB 2841	ACR 193
AB 1997	AB 2430	AB 2855	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, August 5, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 42	AB 1975	AB 2632	AB 2874
AB 72	AB 2024	AB 2635	AB 2884
AB 129	AB 2093	AB 2655	AB 2901
AB 269	AB 2136	AB 2661	AB 2918
AB 379	AB 2148	AB 2673	AB 2921
AB 382	AB 2149	AB 2677	AB 2943
AB 502	AB 2159	AB 2682	AB 2962
AB 594	AB 2165	AB 2691	AB 2989
AB 854	AB 2176	AB 2701	AB 2994
AB 921	AB 2191	AB 2705	AB 3001
AB 1000	AB 2201	AB 2719	AB 3029
AB 1071	AB 2228	AB 2724	AB 3046
AB 1073	AB 2240	AB 2725	AB 3056
AB 1074	AB 2248	AB 2733	AB 3070
AB 1138	AB 2286	AB 2747	AB 3079
AB 1298	AB 2307	AB 2749	AB 3088
AB 1338	AB 2353	AB 2752	AB 3090
AB 1408	AB 2397	AB 2791	AB 3091
AB 1684	AB 2401	AB 2816	AB 3096
AB 1846	AB 2435	AB 2837	ACR 67
AB 1865	AB 2436	AB 2839	ACR 152
AB 1885	AB 2450	AB 2857	AJR 44
AB 1889	AB 2473	AB 2861	AJR 71
AB 1913	AB 2477	AB 2866	
AB 1971	AB 2545	AB 2870	

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, June 28, 2004

Madam President: The Chair of the Committee on Appropriations, to which was referred:

AB 1875

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, August 5, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 471 AB 745 AB 780 AB 1199
AB 1468 AB 1895 AB 2856

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 471—An act to add Chapter 3.3 (commencing with Section 39630) to Part 2 of Division 26 of the Health and Safety Code, relating to air emissions.

Bill read second time.

Assembly Bill 745—An act to add Sections 1210, 35032.5, and 72427 to the Education Code, relating to local educational agencies.

Bill read second time.

Assembly Bill 780—An act to amend Sections 35542, 35705.5, 35706, 35707, 35709, 35710, 35710.5, 35710.51, 35722, 35750, 35751, 35753, 35754, 35755, and 35756 of, and to amend the heading of Article 4 (commencing with Section 35750) of Chapter 4 of Part 21 of, the Education Code, relating to school districts.

Bill read second time.

Assembly Bill 1199—An act to amend Section 2 of Chapter 1338 of the Statutes of 1989, as amended by Section 1 of Chapter 306 of the Statutes of 1993, relating to local government finance.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1199 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BERG

Permission of Rules Committee

Senate Chamber, August 5, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1199.

BURTON, Chair

Assembly Bill 1468—An act to add Section 25370 to the Public Resources Code, relating to motor vehicle fuel conservation.

Bill read second time.

Assembly Bill 1895—An act to amend Sections 317, 366.26, and 634 of the Welfare and Institutions Code, relating to immigrant children.

Bill read second time.

Assembly Bill 2856—An act to amend Section 17556 of the Government Code, relating to state mandates.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Committee on Rules

Date of Hearing, August 4, 2004

Madam President: The Committee on Rules, to which was referred:
AJR 73

Reports the same back with the recommendation: Be adopted.

BURTON, Chair

Above resolution ordered to third reading.

Senate Chamber, August 5, 2004

Madam President: The Chair of the Committee on Rules, to which was referred:

ACR 234

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Concurrent Resolution 234—Relative to state investment in arts and culture.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

State Capitol, August 4, 2004

Madam 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:

Jerome S. Moss, Member California Horse Racing Board (5-0)

Thomas Eres, State Director and California Adjutant General of the Military Department (5-0)

Matthew L. Cate, Inspector General of the Youth and Adult Correctional Agency (5-0)

Walter Allen III, Director Youth Authority (5-0)

BURTON, Chair

Above appointments ordered placed on unfinished business file.

Committee on Revenue and Taxation

Senate Chamber, August 5, 2004

Madam President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 198

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 198—An act to amend Sections 17039 and 23036 of, and to add and repeal Sections 17053.63, 17250.8, 23633, and 24349.8 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 measure ordered printed and re-referred to the committee.

Committee on Appropriations

Date of Hearing, August 4, 2004

Madam President: The Committee on Appropriations, to which were referred:

AB 864

AB 3089

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, August 5, 2004

Madam President: The Chair of the Committee on Appropriations, to which were referred:

AB 1643

AB 1941

AB 1957

AB 2065

AB 2285

AB 2400

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1643—An act to amend Section 1231 of the Unemployment Insurance Code, relating to employment.

Bill read second time.

Assembly Bill 1941—An act to amend Sections 851.5, 1170, 1170.3, and 1203.016 of, and to add Sections 833.2 and 13517.7 to, the Penal Code, relating to criminal procedure.

Bill read second time.

Assembly Bill 1957—An act to add and repeal Sections 14982 and 14983 to the Government Code, and to add and repeal Article 5 (commencing with Section 110242) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

Bill read second time.

Assembly Bill 2065—An act to add Section 13113.5 to the Health and Safety Code, relating to fire protection.

Bill read second time.

Assembly Bill 2285—An act to amend Section 14019.4 of, and to amend, repeal, and add Section 14018.2 of, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Assembly Bill 2400—An act to add Sections 101031 and 101076 to the Health and Safety Code, relating to unlawful methamphetamine laboratories.

Bill read second time.

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2063)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2063 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2063

Assembly Bill 2063—An act relating to public resources, and declaring the urgency thereof, to take effect immediately.

Bill read.

Motion to Amend

Amendments to AB 2063 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

MEASURE WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 473** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

SENATE COMMITTEE ROLL CALLS

Committee on Appropriations

AB 493—Do pass

AYES (10)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karmette, Machado, and Pochigian.

NOES (0)—None.

AB 864—Do pass as amended

AYES (8)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (2)—Senators Aanestad and Battin.

AB 1157—Do pass

AYES (7)—Senators Aanestad, Alpert, Battin, Escutia, Murray, Poochigian, and Speier.

NOES (1)—Senator Ashburn.

AB 1297—Do pass as amended

AYES (1)—Senator Alpert.

NOES (4)—Senators Ashburn, Battin, Johnson, and Poochigian.

Failed passage

AB 1297—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 1520—Do pass

AYES (6)—Senators Alpert, Bowen, Escutia, Karnette, Machado, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

Failed passage

AB 1520—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 1934—Do pass

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, and Poochigian.

NOES (0)—None.

AB 1953—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Machado, Poochigian, and Speier.

NOES (0)—None.

AB 2032—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (1)—Senator Aanestad.

AB 2056—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Johnson, Karnette, Machado, Poochigian, and Speier.

NOES (0)—None.

AB 2224—Do pass

AYES (8)—Senators Alpert, Ashburn, Battin, Burton, Escutia, Johnson, Karnette, and Poochigian.

NOES (0)—None.

AB 2303—Do pass

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 2330—Do pass as amended

AYES (8)—Senators Alpert, Battin, Bowen, Johnson, Karnette, Machado, Poochigian, and Speier.

NOES (1)—Senator Ashburn.

AB 2366—Do pass

AYES (2)—Senators Alpert and Burton.

NOES (3)—Senators Ashburn, Battin, and Johnson.

Failed passage

AB 2366—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2377—Do pass

AYES (7)—Senators Alpert, Battin, Bowen, Karnette, Machado, Murray, and Speier.

NOES (1)—Senator Ashburn.

AB 2431—Do pass

AYES (11)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2439—Do pass

AYES (8)—Senators Alpert, Ashburn, Battin, Bowen, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

AB 2445—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

AB 2457—Do pass

AYES (12)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2499—Do pass

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Ashburn, Battin, Johnson, and Poochigian.

AB 2517—Do pass as amended

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2519—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

AB 2520—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Machado, Poochigian, and Speier.

NOES (0)—None.

AB 2530—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Ashburn, Battin, Johnson, and Poochigian.

AB 2554—Do pass

AYES (9)—Senators Alpert, Ashburn, Battin, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

AB 2565—Do pass

AYES (9)—Senators Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Machado, and Poochigian.

NOES (0)—None.

AB 2591—Do pass

AYES (7)—Senators Alpert, Ashburn, Battin, Bowen, Machado, Poochigian, and Speier.

NOES (0)—None.

AB 2606—Do pass as amended

AYES (7)—Senators Aanestad, Alpert, Ashburn, Battin, Johnson, Karnette, and Poochigian.

NOES (1)—Senator Bowen.

AB 2647—Do pass

AYES (7)—Senators Alpert, Battin, Bowen, Karnette, Murray, Poochigian, and Speier.

NOES (2)—Senators Aanestad and Ashburn.

AB 2672—Do pass

AYES (5)—Senators Alpert, Bowen, Escutia, Murray, and Speier.

NOES (2)—Senators Ashburn and Battin.

Failed passage

AB 2672—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2678—Do pass as amended

AYES (9)—Senators Alpert, Ashburn, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (0)—None.

AB 2681—Do pass

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Machado, and Speier.

NOES (0)—None.

AB 2683—Do pass

AYES (7)—Senators Alpert, Burton, Escutia, Machado, Murray, Poochigian, and Speier.

NOES (3)—Senators Ashburn, Battin, and Johnson.

AB 2750—Do pass

AYES (4)—Senators Alpert, Battin, Escutia, and Karnette.

NOES (1)—Senator Ashburn.

Failed passage

AB 2750—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2753—Do pass

AYES (6)—Senators Alpert, Bowen, Escutia, Karnette, Machado, and Murray.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

Failed passage

AB 2753—Reconsideration granted

AYES (13)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Burton, Escutia, Johnson, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2760—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 2838—Do pass

AYES (8)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Ashburn, Battin, Johnson, and Poochigian.

AB 2851—Do pass

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Karnette, Murray, Poochigian, and Speier.

NOES (2)—Senators Bowen and Machado.

AB 2853—Do pass

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Burton, Karnette, Murray, and Poochigian.

NOES (3)—Senators Bowen, Machado, and Speier.

AB 2900—Do pass

AYES (7)—Senators Alpert, Bowen, Escutia, Karnette, Machado, Murray, and Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

AB 2982—Do pass

AYES (10)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Johnson, Karnette, Machado, Murray, and Poochigian.

NOES (0)—None.

AB 3022—Do pass

AYES (9)—Senators Alpert, Battin, Bowen, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (0)—None.

AB 3050—Do pass as amended

AYES (8)—Senators Alpert, Battin, Escutia, Karnette, Machado, Murray, Poochigian, and Speier.

NOES (1)—Senator Ashburn.

AB 3089—Do pass as amended

AYES (9)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Johnson, Karnette, Machado, and Poochigian.

NOES (0)—None.

AB 3094—Do pass

AYES (8)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Escutia, Karnette, and Speier.

NOES (0)—None.

Date of Hearing: 8/4/04

Alpert (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of George Nickel of Bakersfield.

Senator Karnette requested that when the Senate adjourns this day it do so in memory of Paula Emilia Petricone Rentschler of Rancho Palos Verdes.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 10:30 a.m., Monday, August 9, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIFTY-FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, August 9, 2004

The Senate met at 10:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary David Valverde 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—37.

Quorum present.

(NOTE: Senators Dunn and Vincent will be excused this day due to family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Ancient of Days, May our footsteps go where You would have them go. May our actions be what You would have them be. May our ears be open to the sound of Your voice, that we may be heralds of hope, freedom and peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Ashburn led the Senate in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES
Committee on Constitutional Amendments

Senate Chamber, August 9, 2004

Mr. President: The Chair of the Committee on Constitutional Amendments, to which was referred:

SCA 14

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

POOCHIGIAN, Chair

Second Reading of Bills—Author's Amendments

Senate Constitutional Amendment 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of, and adding Sections 3.3, 3.5, 3.7, and 4.5 to, Article II thereof, by amending Sections 2, 6, and 12 of Article IV thereof, by amending subdivision (d) of Section 2 of, and by amending Section 3 of, Article XIII A thereof, and by amending Section 1 of Article XXI thereof, relating to political reform, and making an appropriation therefor.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Date of Hearing, August 4, 2004

Mr. President: The Committee on Appropriations, to which were referred:

AB 2606

AB 2678

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, August 9, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 825

AB 1185

AB 1558

AB 1650

AB 1829

AB 2328

AB 2406

AB 2611

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 825—An act to add Section 69437.4 to the Education Code, relating to student financial aid, and making an appropriation therefor.

Bill read second time.

Assembly Bill 1185—An act to amend Section 5630 of the Public Resources Code, relating to parks.

Bill read second time.

Assembly Bill 1558—An act to add Section 1596.602 to the Health and Safety Code, relating to child care.

Bill read second time.

Assembly Bill 1650—An act to amend, repeal, and add Sections 406, 44305, 44308, 44383, 44386, 44393, 44395, 44396, 44401, 44402, 44403, 44503, 44507, 44579.1, 44731, 52272, 99220, 99221, 99222, 99223, 99224, 99225, 99226, 99232, 99234, 99236, and 99237 of, to add Chapter 3.8 (commencing with Section 44790) to Part 25 of, and to repeal Sections 44384, 44404, 44505, 44506, 44579.2, 44579.4, 44579.5, 44730, 99227, 99234.5, and 99235 of, the Education Code, relating to teacher development.

Bill read second time.

Assembly Bill 1829—An act to amend Section 5703 of the Government Code, and to add Chapter 3.55 (commencing with Section 12140) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time.

Assembly Bill 2328—An act to amend Sections 23809 and 24654 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Assembly Bill 2406—An act to amend Section 13110.5 of the Health and Safety Code, relating to fire safety.

Bill read second time.

Assembly Bill 2611—An act to amend Section 368 of the Penal Code, and to amend Sections 15656 and 15657 of, and to add Section 15657.5 to,

the Welfare and Institutions Code, relating to elder and dependent adult abuse.

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, August 9, 2004

Mr. President: The Chair of the Committee on Education, to which was referred:

AB 1507

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1507—An act to amend Section 89560 of the Education Code, and to amend Section 830.2 of the Penal Code, relating to the California State University.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1507 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DYMALLY

Permission of Rules Committee

Senate Chamber, August 9, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1507.

BURTON, Chair

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Revenue and Taxation

Senate Chamber, August 9, 2004

Mr. President: The Chair of the Committee on Revenue and Taxation, to which was referred:

AB 1850

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

CEDILLO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1850—An act to add Section 1396.6 to the Health and Safety Code, relating to health care service plans.

Bill read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

Committee on Appropriations

Senate Chamber, August 9, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 1324	AB 1845	AB 2006
AB 2019	AB 2657	AB 2941

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1324—An act to add Section 3212.86 to the Labor Code, relating to workers' compensation.

Bill read second time.

Assembly Bill 1845—An act to amend Sections 1271 and 1274.10 of the Unemployment Insurance Code, relating to employment training, and making an appropriation therefor.

Bill read second time.

Assembly Bill 2006—An act to amend Sections 365 and 366 of, to add Chapter 2.4 (commencing with Section 400) to Part 1 of Division 1 of, and to repeal Section 330 of, the Public Utilities Code, relating to electricity.

Bill read second time.

Assembly Bill 2019—An act to add Section 68553.5 to the Government Code, and to add Sections 711, 712, 713, and 714 to the Welfare and Institutions Code, relating to minors.

Bill read second time.

Assembly Bill 2657—An act to add Chapter 2 (commencing with Section 42100) to Part 3 of Division 30 of the Public Resources Code, relating to metal plating facilities.

Bill read second time.

Assembly Bill 2941—An act to amend, repeal, and add Sections 3102 and 3103 of, and to add and repeal Section 3103.5 of, the Elections Code, relating to elections.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 2941 pursuant to Joint Rule 58.

ASSEMBLY MEMBER BATES

Permission of Rules Committee

Senate Chamber, August 9, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 2941.

BURTON, Chair

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

Date of Hearing, August 4, 2004

Mr. President: The Committee on Appropriations, to which were referred:

AB 2330

AB 3050

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measures ordered to second reading.

Committee on Rules

Senate Chamber, August 9, 2004

Mr. President: The Chair of the Committee on Rules, to which were referred:

AB 1784

AB 1785

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 1784—An act to amend Section 86205 of, and to add Sections 84211.5 and 86119 to, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill 1785—An act to amend Section 86205 of, and to add Section 86119 to, the Government Code, relating to the Political Reform Act of 1974.

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, August 9, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2474

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ESCUZIA, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 2474—An act to add Section 15630.1 to the Welfare and Institutions Code, relating to elder and dependent adult abuse, 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 Appropriations

Date of Hearing, August 9, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 1520

Reports the same back with the recommendation: Do pass.

ALPERT, Chair

Above bill ordered to second reading.

Date of Hearing, August 9, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 2672

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Date of Hearing, August 4, 2004

Mr. President: The Committee on Appropriations, to which was referred:

AB 2517

Reports the same back with the recommendation: Do pass as amended.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, August 9, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2007

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8.

ALPERT, Chair

Above measure ordered to second reading.

Senate Chamber, August 9, 2004

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

AB 2189

AB 2860

Reports the same back with the recommendation: That the above measures be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measures ordered to second reading.

Senate Chamber, August 9, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 2753

Reports the same back to the Secretary of the Senate pursuant to Joint Rule 62(a). (May not be further considered during the session.)

ALPERT, Chair

Above measure ordered filed with the Secretary of the Senate.

Committee on Rules

Senate Chamber, August 9, 2004

Mr. President: The Committee on Rules has examined:

SB 1391

SB 1437

SB 1643

SB 1776

SB 1906

And reports that the same have been correctly enrolled, and presented to the Governor on the 9th day of August, 2004, at 10 a.m.

BURTON, Chair

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

Assembly Bill 2234—An act to amend Sections 31485.7, 31485.8, 31486.2, 31486.6, 31489, 31490, 31492, 31494.1, 31494.3, 31495.5, 31499.2, 31499.12, and 54957.1 of, to add Sections 31490.5, 31522.6, and 54956.81 to, and to repeal and add Sections 31486.3, 31499.3, and 31499.13 of, the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 1157—An act to amend Section 455.2 of the Public Utilities Code, relating to water corporations.

Bill read second time and ordered to third reading.

Assembly Bill 1934—An act to amend Section 115825 of, and to add and repeal Section 115843.3 of, the Health and Safety Code, relating to drinking water.

Bill read second time and ordered to third reading.

Assembly Bill 1953—An act to amend Sections 15006 and 15027 of, and to add Section 15027.1 to, of the Insurance Code, relating to public insurance adjusters.

Bill read second time and ordered to third reading.

Assembly Bill 2032—An act to add Sections 149.4, 149.5, and 149.6 to the Streets and Highways Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 2056—An act to amend Sections 1680 and 1701.1 of, and to add Section 1670.2 to, the Business and Professions Code, relating to dentistry.

Bill read second time and ordered to third reading.

Assembly Bill 2224—An act to amend Sections 17557, 17558, 17558.5, and 17561 of, and to add Section 17572 to, the Government Code, relating to state mandates.

Bill read second time and ordered to third reading.

Assembly Bill 2303—An act to add Section 451.5 to the Public Utilities Code, relating to public utilities.

Bill read second time and ordered to third reading.

Assembly Bill 2377—An act to amend Sections 626, 1803.5, 1808.7, 11200, 11202, 11202.5, 11205, 11205.1, 11206, 11208, 11215, 41501, 42005, 42005.1, and 42007 of, and to add Sections 11201 and 11205.3 to, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2431—An act to amend Sections 12028, 12028.5, 12028.7, 12030, and 12084 of, and to add Section 12021.3 to, the Penal Code, and to repeal Section 8107 of the Welfare and Institutions Code, relating to firearms.

Bill read second time and ordered to third reading.

Assembly Bill 2439—An act to amend Section 115825 of, and to add and repeal Section 115843.5 of, the Health and Safety Code, relating to drinking water.

Bill read second time and ordered to third reading.

Assembly Bill 2445—An act to amend Section 6254 of the Government Code, and to amend Sections 4800 and 4805 of, and to amend and renumber Section 4716 of, the Probate Code, relating to advance health care directives.

Bill read second time and ordered to third reading.

Assembly Bill 2457—An act to amend Section 94999 of the Education Code, relating to private postsecondary education, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2499—An act to add a chapter heading to, and to add Chapter 2 (commencing with Section 9505) to, Division 4.8 of the Public Utilities Code, relating to new locally owned public utilities.

Bill read second time and ordered to third reading.

Assembly Bill 2519—An act to add Sections 7861.5, 8552.1, and 8552.3 to, the Fish and Game Code, relating to fish, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2520—An act to amend Sections 1637 and 1639 of, and to add Article 16.3 (commencing with Section 1758.7) to Chapter 5 of Part 2 of Division 1 of the Insurance Code, relating to self-service storage agents.

Bill read second time and ordered to third reading.

Assembly Bill 2530—An act to amend Sections 706.034 and 1532 of the Code of Civil Procedure, to amend Section 5235 of the Family Code, to amend Sections 12461 and 12464 of, and to add Section 16582 to, the Government Code, and to amend Section 3088 of the Probate Code, relating to the Controller.

Bill read second time and ordered to third reading.

Assembly Bill 2554—An act to amend Sections 24216, 24216.5, and 24216.6 of the Education Code, relating to state teachers' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 2565—An act to add and repeal Chapter 4.5 (commencing with Section 13998) of Part 4.7 of Division 3 of Title 2 of the Government Code, and to repeal Part 14 (commencing with Section 37980) of Division 24 of the Health and Safety Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2591—An act to amend Sections 5371.4, 5411.5, 5412.2, and 5413.5 of, and to add Section 5381.5 to, the Public Utilities Code, relating to charter-party carriers.

Bill read second time and ordered to third reading.

Assembly Bill 2647—An act to add Chapter 19 (commencing with Section 53100) to Part 28 of the Education Code, relating to education funding.

Bill read second time and ordered to third reading.

Assembly Bill 2681—An act to add Section 3522 to the Government Code, relating to state employees.

Bill read second time and ordered to third reading.

Assembly Bill 2683—An act to amend Section 44011 of the Health and Safety Code, and to amend Section 4000.1 of the Vehicle Code, relating to air pollution.

Bill read second time and ordered to third reading.

Assembly Bill 2760—An act to amend Sections 1053, 1055, 1055.1, 1055.5, 1056, 1060, 2003, 7151, 7360, 7852.4, 7920, 8235, 8392, 8405.1, 8405.4, 8597, 9000, 9001.7, 9001.8, 9006, 13005, 15103, and 15104 of, to add Sections 1055.4, 9000.5, 9027, 9027.5, and 9029.5 to, to repeal Section 9001.5 of, and to repeal and add Section 9001.6 of, the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2838—An act to amend Section 17464 of the Education Code, and to amend Section 51504 of the Health and Safety Code, relating to real property, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2851—An act to amend Section 17581.5 of the Government Code, relating to local mandate reimbursement, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2853—An act to amend Sections 27131, 27297.5, and 53646 of the Government Code, to amend Section 853.6 of the Penal Code, to amend Section 63.1 of the Revenue and Taxation Code, and to amend Section 21401 of the Vehicle Code, relating to local government expenses, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2900—An act to amend Sections 44100, 44101, 44858, 45293, 69958, 87100, and 88112 of the Education Code, to amend Sections 19572, 19572.1, 19702, 19704, and 19793 of the Government Code, to amend Sections 1156.3, 1735, 1777.6, and 3095 of the Labor Code, to amend Section 130 of the Military and Veterans Code, to amend Sections

25051, 28850, 30750, 50120, 70121, 90300, 95650, 98161, 100303, 101343, 102402, 103403, 120504, and 125523 of the Public Utilities Code, to amend Section 1256.2 of the Unemployment Insurance Code, and to amend Sections 11320.31, 11322.62, and 14087.28 of the Welfare and Institutions Code, relating to employment discrimination.

Bill read second time and ordered to third reading.

Assembly Bill 2982—An act to amend Section 31725.6 of, and to add Section 31725.65 to, the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 3022—An act to add Article 2.5 (commencing with Section 17975) to Chapter 5 of Part 1.5 of Division 13 of, to repeal Chapter 6.1 (commencing with Section 50651) of Part 2 of Division 31 of, and to amend Sections 33334.22, 50781, and 50784 of, the Health and Safety Code, relating to housing, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 3094—An act to amend Sections 7480, 21267, and 31452.6 of, and to add Section 21510 to, the Government Code, relating to retirement systems.

Bill read second time and ordered to third reading.

Assembly Bill 42—An act to amend Sections 56505 and 56505.2 of the Education Code, relating to special education.

Bill read second time and ordered to third reading.

Assembly Bill 72—An act to amend Sections 8212 and 8226 of the Education Code, and to amend Section 1596.853 of, and to add Sections 1596.773 and 1596.8555 to, the Health and Safety Code, relating to child care.

Bill read second time and ordered to third reading.

Assembly Bill 129—An act to amend Sections 241.1, 387, and 11401 of, and to add Sections 241.2 and 366.5 to, the Welfare and Institutions Code, relating to the juvenile court.

Bill read second time and ordered to third reading.

Assembly Bill 269—An act to add and repeal Section 33334.30 of the Health and Safety Code, relating to redevelopment.

Bill read second time and ordered to third reading.

Assembly Bill 379—An act to amend Section 8208 of, and to add Article 8.5 (commencing with Section 8245) to Chapter 2 of Part 6 of, the Education Code, relating to child development.

Bill read second time and ordered to third reading.

Assembly Bill 382—An act to amend Section 17133 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to third reading.

Assembly Bill 502—An act to add Section 65950.5 to the Government Code, relating to local permits.

Bill read second time and ordered to third reading.

Assembly Bill 594—An act to add Section 2828 to the Public Utilities Code, relating to private energy producers.

Bill read second time and ordered to third reading.

Assembly Bill 854—An act to amend Section 1170 of the Penal Code, relating to crime.

Bill read second time and ordered to third reading.

Assembly Bill 921—An act to add Section 60810.5 to the Education Code, relating to pupil testing

Bill read second time and ordered to third reading.

Assembly Bill 1000—An act to amend Sections 1502 and 2117 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1071—An act to amend Sections 19227 and 19315 of, to amend, repeal, and add Section 15061 of, and to add Sections 19310.7 and 19317 to, the Food and Agricultural Code, relating to commercial feed, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 1073—An act to add Section 17136.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to third reading.

Assembly Bill 1074—An act to add Section 18713 to the Business and Professions Code, relating to boxing.

Bill read second time and ordered to third reading.

Assembly Bill 1138—An act to amend amend Sections 22511.56 and 22511.57 of, and to amend, repeal, and add Section 5007 of, the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 1298—An act to amend Sections 6276.08 and 6276.22 of the Government Code, and to amend Sections 123853 and 125191 of the

Health and Safety Code, relating to genetic diseases, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1338—An act to amend Sections 18662 and 18668 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 1408—An act to amend Sections 8670.25.5 and 51018 of the Government Code, relating to oil and hazardous liquids.

Bill read second time and ordered to third reading.

Assembly Bill 1684—An act to amend Section 379.6 of the Public Utilities Code, relating to energy resources.

Bill read second time and ordered to third reading.

Assembly Bill 1846—An act to add Article 3 (commencing with Section 12330) to Chapter 3 of Part 8 of the Education Code, relating to education.

Bill read second time and ordered to third reading.

Assembly Bill 1865—An act to add Section 3069 to the Penal Code, relating to parole.

Bill read second time and ordered to third reading.

Assembly Bill 1885—An act to add Article 7 (commencing with Section 9913) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 1889—An act to amend Sections 216, 331, 335, 339, 340, 341.2, 341.5, 359, and 361 of, and to repeal Sections 338, 355, 356, 367.7, 373, and 376 of, the Public Utilities Code, relating to electrical restructuring.

Bill read second time and ordered to third reading.

Assembly Bill 1913—An act to amend Section 319 of, to amend and repeal Section 309 of, and to repeal and amend Section 361.4 of, the Welfare and Institutions Code, relating to foster care.

Bill read second time and ordered to third reading.

Assembly Bill 1971—An act to amend Section 40720 of the Health and Safety Code, relating to air pollution.

Bill read second time and ordered to third reading.

Assembly Bill 1975—An act to amend Section 2232 of the Business and Professions Code, relating to medicine.

Bill read second time and ordered to third reading.

Assembly Bill 2024—An act to add Chapter 4.8 (commencing with Section 2195) to Division 3 of the Streets and Highways Code, relating to transportation.

Bill read second time and ordered to third reading.

Assembly Bill 2093—An act to amend Sections 72505, 72521, and 72530 of, and to add Section 72525 to, the Public Resources Code, relating to vessels.

Bill read second time and ordered to third reading.

Assembly Bill 2136—An act to amend Section 11880 of, and to add Sections 11876.5, 11876.6, and 11880.5 to, the Health and Safety Code, relating to controlled substances.

Bill read second time and ordered to third reading.

Assembly Bill 2148—An act to amend Sections 2030, 2031, 6340, 6341, and 6344 of, and to add Sections 3121 and 7605 to, the Family Code, relating to family law.

Bill read second time and ordered to third reading.

Assembly Bill 2149—An act to amend Sections 1538.2 and 1538.5 of, and to add Sections 1524.6, 1538.3, and 1538.6 to, the Health and Safety Code, relating to community care facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2159—An act to amend Sections 44002, 44015, 44300, 44305, 44307, 44308, 44309, 44310, 45005, 45017, 45030, 45032, 45033, and 45041 of, and to add Sections 45002 and 45022.5 to, the Public Resources Code, relating to solid waste.

Bill read second time and ordered to third reading.

Assembly Bill 2165—An act to amend Sections 17207 and 24347.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time and ordered to third reading.

Assembly Bill 2176—An act to amend Section 42911 of, and to add Chapter 12.7 (commencing with Section 42648) to Part 3 of Division 30 of, the Public Resources Code, relating to recycling.

Bill read second time and ordered to third reading.

Assembly Bill 2191—An act to add Section 1604.5 to the Penal Code, relating to crimes.

Bill read second time and ordered to third reading.

Assembly Bill 2201—An act to add Section 3322 to the Civil Code, to amend Section 7236 of the Revenue and Taxation Code, and to amend Sections 22507.5, 23114, and 34501.12 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2228—An act to amend Section 3111 of the Family Code, to add Section 1514.5 to the Probate Code, and to amend Section 827 of, and to add Section 204 to, the Welfare and Institutions Code, relating to minors.

Bill read second time and ordered to third reading.

Assembly Bill 2240—An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

Bill read second time and ordered to third reading.

Assembly Bill 2248—An act to add Chapter 1.5 (commencing with Section 103860) to Part 2 of Division 102 of the Health and Safety Code, relating to public health.

Bill read second time and ordered to third reading.

Assembly Bill 2286—An act to amend Section 44468 of the Education Code, relating to teacher credentialing.

Bill read second time and ordered to third reading.

Assembly Bill 2307—An act to add Article 2.6 (commencing with Section 1222) to Chapter 1 of Division 2 of the Health and Safety Code, relating to health care providers.

Bill read second time and ordered to third reading.

Assembly Bill 2353—An act to add and repeal Chapter 7 (commencing with Section 1963) of Division 2.5 of the Streets and Highways Code, and to amend Sections 385.5, 21250, 21251, and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

Bill read second time and ordered to third reading.

Assembly Bill 2397—An act to amend Sections 4535.1, 7084, 7118, 14842, and 14842.5 of the Government Code, and to amend Sections 10303 and 12102 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Assembly Bill 2401—An act to amend Section 13146.1 of, and to add and repeal Sections 12606.1, 13188.4, and 13197.6 of, the Health and Safety Code, relating to fire protection.

Bill read second time and ordered to third reading.

Assembly Bill 2435—An act to add Section 51220.6 to the Education Code, relating to instruction.

Bill read second time and ordered to third reading.

Assembly Bill 2436—An act to amend Sections 1206.5, 1244, and 1246.5 of the Business and Professions Code, relating to clinical laboratories.

Bill read second time and ordered to third reading.

Assembly Bill 2450—An act to amend Section 6609.1 of the Welfare and Institutions Code, relating to mental health.

Bill read second time and ordered to third reading.

Assembly Bill 2473—An act to amend Section 714 of the Civil Code, to repeal and add Section 65850.5 of the Government Code, and to repeal and add Section 17959.1 of the Health and Safety Code, relating to solar energy.

Bill read second time and ordered to third reading.

Assembly Bill 2477—An act to add Section 66406 to the Education Code, relating to postsecondary education.

Bill read second time and ordered to third reading.

Assembly Bill 2545—An act to add Section 6402.5 to the Labor Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 2632—An act to add Section 129875.1 to the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2635—An act to amend Section 1363.5 of the Fish and Game Code, relating to oak woodlands conservation.

Bill read second time and ordered to third reading.

Assembly Bill 2655—An act to amend Section 12500.8 of the Business and Professions Code, relating to weights and measures.

Bill read second time and ordered to third reading.

Assembly Bill 2661—An act to amend Section 1536 of, and to add Sections 1506.7, 1506.8, and 1506.9 to, the Health and Safety Code, relating to foster care.

Bill read second time and ordered to third reading.

Assembly Bill 2673—An act to add Chapter 3.5 (commencing with Section 8451) to Part 4 of Division 6 of the Public Resources Code, relating to natural resources.

Bill read second time and ordered to third reading.

Assembly Bill 2677—An act to add Chapter 10.27 (commencing with Section 672) to Part 1 of Division 1 of the Insurance Code, relating to insurance.

Bill read second time and ordered to third reading.

Assembly Bill 2682—An act to amend, repeal, and add Section 4043 of, to add and repeal Section 4162.5 of, and to repeal and add Section 4161 of, the Business and Professions Code, relating to pharmacy, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2691—An act to amend Sections 22440, 22441, 22442, 22442.2, 22443.1, and 22444 of, and to repeal Section 22442.4 of the Business and Professions Code, relating to immigration consultants.

Bill read second time and ordered to third reading.

Assembly Bill 2701—An act to amend Sections 13144 and 13152 of, and to repeal Section 12847.5 of, the Food and Agricultural Code, to amend Sections 12812.2 and 12812.5 of the Government Code, to amend Sections 901, 25178, 25244.11, 25295, 25299.81, 25395.32, 39604, 39607.5, 39619.5, 41712, 41865, 43101, 44011.6, 44100, 44104.5, 57007, and 115910 of, and to repeal Sections 39702.5, 43032, and 59019 of, the Health and Safety Code, to amend Section 14315 of the Penal Code, to amend Sections 42885.5 and 42889.4 of, to add Chapter 4 (commencing with Section 71069) to Part 2 of Division 34 of, and to repeal Section 42889.1 of, the Public Resources Code, to amend Sections 7672, 7711 and 7712 of the Public Utilities Code, to amend Sections 13191, 13292, 13369, and 13385 of, and to repeal Sections 10782, 13192, 13198, and 13399.39 of, the Water Code, and to amend Section 4 of Chapter 435 of the Statutes of 1994, relating to environmental protection.

Bill read second time and ordered to third reading.

Assembly Bill 2705—An act to amend Section 487 of the Penal Code, relating to crimes.

Bill read second time and ordered to third reading.

Assembly Bill 2719—An act to add Section 12237 to the Government Code, relating to State Archives.

Bill read second time and ordered to third reading.

Assembly Bill 2724—An act to amend Sections 69980, 69982, 69983, 69986, 69990, and 94110 of, and to add Section 94103 to, the Education Code, relating to postsecondary education, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2725—An act to amend Sections 30322 and 30824 of, and to add Section 30324.5 to, the Public Resources Code, relating to the California Coastal Commission.

Bill read second time and ordered to third reading.

Assembly Bill 2733—An act to add Section 5009 to the Water Code, relating to water.

Bill read second time and ordered to third reading.

Assembly Bill 2747—An act to amend Section 17605 of the Welfare and Institutions Code, relating to social services.

Bill read second time and ordered to third reading.

Assembly Bill 2749—An act to amend Section 11167 of the Penal Code, and to amend Section 16206 of the Welfare and Institutions Code, relating to child protective services.

Bill read second time and ordered to third reading.

Assembly Bill 2752—An act to add Section 301.2 to the Corporations Code, relating to corporations.

Bill read second time and ordered to third reading.

Assembly Bill 2791—An act to amend Sections 1337.1 and 1430 of the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2816—An act to add Section 9253.5 to the Welfare and Institutions Code, relating to long-term care.

Bill read second time and ordered to third reading.

Assembly Bill 2837—An act to amend Section 8152 of the Education Code, relating to apprenticeships.

Bill read second time and ordered to third reading.

Assembly Bill 2839—An act to add Section 2785.5 to the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Assembly Bill 2857—An act to amend Section 1604 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Assembly Bill 2861—An act to amend Section 4017.1 of the Penal Code, relating to sentenced persons.

Bill read second time and ordered to third reading.

Assembly Bill 2866—An act to add Section 1871.9 to the Insurance Code, relating to workers' compensation.

Bill read second time and ordered to third reading.

Assembly Bill 2870—An act to amend Sections 12903, 12928, 12935, 12942, 12945, 12963.3, 12972, 12973, 12987, 12987.1, and 12989.2 of the Government Code, relating to employment.

Bill read second time and ordered to third reading.

Assembly Bill 2874—An act to amend Sections 1255.1 and 1300 of the Health and Safety Code, relating to public health.

Bill read second time and ordered to third reading.

Assembly Bill 2884—An act to amend Section 13305 of the Water Code, relating to water.

Bill read second time and ordered to third reading.

Assembly Bill 2901—An act to add Chapter 8.6 (commencing with Section 42490) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read second time and ordered to third reading.

Assembly Bill 2918—An act relating to desalination facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2921—An act to amend Sections 31001, 31119, 31125, 31300, 31402, 31403, 31405, 31410, and 31411 of, and to add Sections 31001.1, 31109, 31109.1, 31406, 31407, and 31408 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2943—An act to add Article 9 (commencing with Section 124172) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, relating to vaccinations.

Bill read second time and ordered to third reading.

Assembly Bill 2962—An act to amend Section 2051 of, and to add Section 675.1 to, the Insurance Code, relating to fire insurance.

Bill read second time and ordered to third reading.

Assembly Bill 2989—An act to amend Section 11454 of the Welfare and Institutions Code, relating to public social services.

Bill read second time and ordered to third reading.

Assembly Bill 2994—An act to add Section 12405 to the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

Assembly Bill 3001—An act relating to school facilities.

Bill read second time and ordered to third reading.

Assembly Bill 3029—An act to add Section 14045 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 3046—An act to amend Section 32814 of the Food and Agricultural Code, relating to milk.

Bill read second time and ordered to third reading.

Assembly Bill 3056—An act to add Section 12317 to the Welfare and Institutions Code, relating to in-home supportive services and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 3070—An act to amend Sections 25004, 25102.1, 25231, and 25532 of, and to repeal Section 28506 of, the Corporations

Code, and to amend Section 22337 of the Financial Code, relating to financial transactions.

Bill read second time and ordered to third reading.

Assembly Bill 3079—An act to amend Sections 3110.5, 6222, and 7120 of the Family Code, to amend Sections 6103.2, 68085, 68115, 68502.7, 68926, 68927, 71622, 72190, and 77006.5 of, and to repeal Section 72407 of, the Government Code, and to amend Sections 366.21 and 16010.6 of the Welfare and Institutions Code, relating to the courts.

Bill read second time and ordered to third reading.

Assembly Bill 3088—An act to amend Section 8549.11 of the Government Code, relating to emergency response.

Bill read second time and ordered to third reading.

Assembly Bill 3090—An act to amend Section 21087 of the Public Resources Code, relating to environmental quality.

Bill read second time and ordered to third reading.

Assembly Bill 3091—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 and ordered to third reading.

Assembly Bill 3096—An act to amend Sections 8880.22, 8880.30, 8880.46, and 8880.57 of the Government Code, relating to the California State Lottery.

Bill read second time and ordered to third reading.

Assembly Concurrent Resolution 67—Relative to Little India in the City of Artesia.

Resolution read second time and ordered to third reading.

Assembly Concurrent Resolution 152—Relative to the Michael Evanhoe Interchange and the Reverend Cecil “Chip” Murray Overcrossing.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution 44—Relative to Holocaust era insurance policies.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution 71—Relative to veterans health care.

Resolution read second time and ordered to third reading.

Assembly Bill 2751—An act to amend Sections 49531.1 and 49533 of the Education Code, relating to pupils.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed and re-referred to the Committee on Rules.

Assembly Bill 1155—An act to amend Sections 2342.5 and 2850 of, and to add Section 2344 to, the Probate Code, relating to conservators and guardians.

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 1240—An act to amend Sections 1522, 1568.09, 1569.17, and 1596.871 of the Health and Safety Code, and to amend Section 11105 of the Penal Code, relating to care facilities.

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 1583—An act to add Section 30238 to the Public Resources Code, relating to coastal resources.

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 1997—An act to amend Sections 66025.6, 69750, 69750.3, 69750.5, and 69751 of, to add Sections 69751.2 and 69751.8 to, and to repeal and add Section 69751.3 of, the Education Code, relating to postsecondary education.

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 2005—An act to amend Section 11462 of the Welfare and Institutions Code, relating to community care facilities.

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 2086—An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

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 2197—An act 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 2430—An act to amend and repeal Sections 5500 and 5501 of, and to add and repeal Section 5513 of, the Public Utilities Code, relating to commercial air carriers, and declaring the urgency thereof, to take effect immediately.

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 2485—An act to add Section 17212.1 to the Education Code, relating to schools.

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 2527—An act to amend Section 290 of the Penal Code, relating to sex offender registration.

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 2841—An act to amend Sections 5019, 5020, 35531, 35542, 35555, 35565, 35566, 35570, 35709, 35710, 35710.5, 35722, 35753, 35756, and 35765 of, and to add Sections 35517, 35710.1, 35736.5, and 35784.5 to, the Education Code, and to amend Section 54902 of, and to repeal Section 54903.1 of, the Government Code, relating to school districts.

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 2855—An act to amend Sections 32282, 33540, 35295, 35296, 42140, 48900.1, and 48910 of, and to repeal Sections 38132, 48211, 48214, and 51230 of, the Education Code, to amend Sections 6550 and 6552 of the Family Code, to amend Section 17556 of the Government Code, and to amend Sections 124100 and 124105 of the Health and Safety Code, relating to education.

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 2909—An act to add Section 95029.5 to the Government Code, relating to early intervention 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 3025—An act to amend Sections 24011, 32505, 32511, 35013, 58750, and 80074 of the Food and Agricultural Code, relating to agriculture.

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 Concurrent Resolution 193—Relative to higher education.

Resolution 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 1875—An act to amend Sections 3526, 3531, 3533, 3534, and 3538 of the Government Code, relating to state employees.

Bill read second time and ordered to third reading.

Assembly Bill 864—An act to amend Sections 19912, 19961, and 19984 of the Business and Professions Code, relating to gambling.

Bill read second time and ordered to third reading.

Assembly Bill 3089—An act to amend Section 12715 of the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.

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 2063—An act relating to public resources, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on August 11:

AB 1667	AB 1138	AB 2632	AB 1997
AB 2398	AB 1298	AB 2635	AB 2005
AB 2807	AB 1338	AB 2701	AB 2197
AB 1934	AB 1889	AB 2719	AB 2527
AB 2224	AB 1913	AB 2733	AB 2841
AB 2439	AB 2149	AB 2747	AB 2855
AB 2519	AB 2165	AB 2749	AB 2909
AB 2565	AB 2201	AB 2791	AB 3025
AB 2760	AB 2228	AB 2816	AB 2063
AB 2982	AB 2286	AB 2839	SB 246
AB 42	AB 2307	AB 2861	SB 1189
AB 72	AB 2353	AB 2870	SB 1615
AB 129	AB 2397	AB 3029	SB 1840
AB 502	AB 2401	ACR 152	SB 1847
AB 1000	AB 2436	AJR 44	
AB 1073	AB 2450	AJR 71	

MOTIONS TO REFER MEASURES TO INACTIVE FILE

Senator Vincent moved that **SB 1071** be placed on the inactive file.

Senator Margett moved that **SB 223** be placed on the inactive file.

Senator Alarcón moved that **SB 191**, **AB 2850** and **SCA 11** be placed on the inactive file.

Senator Burton moved that **SB 229** be placed on the inactive file.

Senator Speier moved that **SB 354** be placed on the inactive file.

Senator Poochigian moved that **SB 757** be placed on the inactive file.

Senator McPherson moved that **SB 457** be placed on the inactive file.

Senator Chesbro moved that **SB 1050** be placed on the inactive file.

Senator Sher moved that **SB 185** be placed on the inactive file.

Motions carried.

MOTION TO TAKE MEASURE FROM THE INACTIVE FILE

Senator Aanestad moved that **AB 2626** be taken from the inactive file and placed on the second reading file.

Motion carried.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution 47—Relative to Cesar E. Chavez.

Resolution read third time and presented by Senator Alarcón.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl,

Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (2)—Senators Ackerman and Hollingsworth.

Resolution ordered transmitted to the Assembly.

Assembly Bill 3016—An act to amend Section 1798.85 of the Civil Code, relating to privacy.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (6)—Senators Ackerman, Hollingsworth, Johnson, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 2062—An act to amend Sections 8201 and 8206 of, and to add Section 8202 to, the Government Code, relating to notaries public.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1980—An act to add Section 18680.5 to the Elections Code, relating to initiative, referendum, and recall.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, McClintock, McPherson, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 1956—An act to amend the heading of Chapter 2.8 (commencing with Section 1001.20) of Title 6 of Part 2 of, and to amend Sections 1001.20, 1001.21, 1001.22, and 1001.23 of, the Penal Code, relating to diversion.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2037—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time and presented by Senator Hollingsworth.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2140—An act to amend Section 80172 of the Food and Agricultural Code, relating to desert species .

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (7)—Senators Aanestad, Ashburn, Johnson, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1489—An act to amend Section 19826 of the Business and Professions Code, relating to gambling.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 1799—An act to amend Sections 18761 and 18766 of the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alpert, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2711—An act to add Section 20589 to the Government Code, relating to public employees' retirement.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 1857—An act to add Section 597.6 to the Penal Code, relating to animals.

Bill read third time and presented by Senator Kuehl.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Kuehl moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1894—An act to add Section 1536.5 to the Penal Code, relating to business records.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2150—An act to amend Section 5107 of the Business and Professions Code, relating to accountancy.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2156—An act to amend Section 23057 of the Financial Code, relating to deferred deposit transactions.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2314—An act to amend Sections 19570 and 19590 of the Government Code, relating to state employees.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (26)—Senators Alarcón, Alpert, Ashburn, Bowen, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Aanestad, Ackerman, Battin, Brulte, Hollingsworth, Johnson, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2593—An act to add Section 379.7 to the Public Utilities Code, relating to public utilities.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2917—An act to amend Section 18600 of the Elections Code, relating to elections.

Bill read third time and presented by Senator Perata.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1707—An act to amend Section 54.3 of the Civil Code, relating to civil rights.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

TRIBUTE TO SENATOR MCPHERSON

On the occasion of his retirement from the Senate, the Senate paid tribute to Senator Bruce McPherson for his distinguished service to the people of the State of California.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill 2817—An act to amend Sections 100601, 100601.5, 100602.4, 100602.8, 100602.10, 100602.13, 100603, 100605, 100613, 100614, and 100616 of, and to repeal Sections 100602.2, 100602.3, 100602.5, 100602.6, and 100602.7 of, the Public Utilities Code, relating to transportation.

Bill read third time and presented by Senator Figueroa.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Figueroa moved a call of the Senate.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2817)**

On motion of Senator Figueroa, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2817 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Ackerman, Ashburn, Battin, Bowen, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 979—An act to amend Sections 31520.5, 31704, and 31789.5 of, to amend and renumber Section 31537 of, and to add Sections 31764.5, 31764.6, and 31764.7 to, the Government Code, relating to county employees' retirement.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (3)—Senators Brulte, Hollingsworth, and McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 323—An act to add Article 7 (commencing with Section 999.50) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans.

Bill read third time and presented by Senator Morrow.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 656—An act to amend Section 1749.5 of the Civil Code, relating to gift certificates.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Aanestad, Alarcón, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Torlakson, and Vasconcellos.

NOES (10)—Senators Ackerman, Ashburn, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1663—An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Battin, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Johnson, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 466—An act to amend Section 102015 of, to add Sections 102024, 102025, 102026, 102027, 102028, 102100.1, 102100.2, 102100.3, 102100.4, 102100.5, 102100.6, 102100.7, 101200.8, and 101200.9 to, and to repeal Section 102100 of, the Public Utilities Code, relating to transportation.

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, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Morrow, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2509—An act to add Chapter 5.5 (commencing with Section 2780) to Part 2 of Division 1 of the Public Utilities Code, relating to public utilities.

Bill read third time and presented by Senator Oller.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, Morrow, Murray, Oller, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 321—An act to add Section 1366.2 to the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Senator Speier.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (1)—Senator McClintock.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2946—An act to add Section 10007 to the Penal Code, relating to inmates.

Bill read third time and presented by Senator Romero.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Aanestad, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez,

Johnson, Karnette, Kuehl, Machado, Margett, McClintock, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (7)—Senators Ackerman, Battin, Brulte, Hollingsworth, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2388—An act to add Section 8670.23.5 to the Government Code, relating to harbors.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1827—An act to amend Sections 11125.4 and 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (4)—Senators Bowen, Denham, Hollingsworth, and McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 1272—An act to add Section 11713.17 to the Vehicle Code, relating to vehicles.

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado,

Murray, Ortiz, Perata, Romero, Scott, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

TRIBUTE TO SENATOR VASCONCELLOS

On the occasion of his retirement from the Senate, the Senate paid tribute of Senator John Vasconcellos for his distinguished services to the people of the State of California.

CONSIDERATION OF DAILY FILE (RESUMED)

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1857)**

On motion of Senator Kuehl, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 1857 was refused passage by the following vote:

AYES (17)—Senators Alarcón, Alpert, Burton, Cedillo, Chesbro, Escutia, Figueroa, Karnette, Kuehl, Murray, Perata, Romero, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (15)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Florez, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Motion to Reconsider (AB 1857)

Senator Kuehl moved to reconsider the vote whereby AB 1857 failed passage.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Measure ordered returned to third reading.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, the issue raised by the Assembly amendments to **SB 260** was referred to the Committee on Rules.

Pursuant to Senate Rule 29.10, **SCA 9** was referred to the Committee on Rules.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1199** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

SCR 90 was withdrawn from the Committee on Transportation and re-referred to the Committee on Rules.

REQUEST TO BE ADDED TO ROLL CALL

August 9, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 3016—Aye

AB 1707—Aye

JOHN L BURTON, President pro Tempore

August 9, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 2711—Aye

AB 1894—Aye

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day due to a family illness: Senators Dunn and Vincent.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 3:04 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, August 10, 2004.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, August 9, 2004

Madam President: The Chair of the Committee on Rules, to which was referred:

SJR 33

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Joint Resolution 33—Relative to West Nile virus.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed and re-referred to the committee.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing SCA 14 to be heard in Committee on Constitutional Amendments without notice in the Daily File.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 2006 to be heard in the Committees on Energy, Utilities and Communications and Appropriations without notice in the Daily File.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 2268 to be heard on the Committee on Veterans Affairs without notice in the Daily File.

REQUEST FOR UNANIMOUS CONSENT (AB 2814)

Senator Sher asked for, and was granted, unanimous consent that AB 2814 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 2814

Assembly Bill 2814—An act to amend Section 21167.6.5 of the Public Resources Code, relating to natural resources.

Bill read third time.

Motion to Amend

Amendments to AB 2814 proposed by Senator Sher were read and adopted and the measure ordered printed and to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 1946)

Senator Romero asked for, and was granted, unanimous consent that AB 1946 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 2814

Assembly Bill 1946—An act to amend Section 1170 of the Penal Code, relating to sentencing.

Bill read third time.

Motion to amend

Amendments to AB 1946 proposed by Senator Romero were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2784)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2784 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2784

Assembly Bill 2784—An act to amend Sections 130054.1 and 130054.8 of the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read.

Motion to Amend

Amendments to AB 2784 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 1299)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1299 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1299

Assembly Bill 1299—An act to amend Sections 1368.2, 1746, and 1749 of the Health and Safety Code, relating to health facilities.

Bill read.

Motion to Amend

Amendments to AB 1299 proposed by Senator Ortiz were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2161)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2161 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2161

Assembly Bill 2161—An act to amend Sections 10136, 10137, 10138, 10139, and 10139.5 of the Insurance Code, relating to structured settlements.

Bill read.

Motion to Amend

Amendments to AB 2161 proposed by Senator Florez were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 1820)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1820 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1820

Assembly Bill 1820—An act to add and repeal Section 37700.1 of the Education Code, relating to schooldays.

Bill read.

Motion to Amend

Amendments to AB 1820 proposed by Senator Hollingsworth were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2234—An act to amend Sections 31485.7, 31485.8, 31486.2, 31486.6, 31489, 31490, 31492, 31494.1, 31494.3, 31495.5, 31499.2, 31499.12, and 54957.1 of, to add Sections 31490.5, 31522.6, and 54956.81 to, and to repeal and add Sections 31486.3, 31499.3, and 31499.13 of, the Government Code, relating to county employees' retirement.

Bill read third time.

Amendments Adopted

Amendments to AB 2234 proposed by Senator Soto were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2661—An act to amend Section 1536 of, and to add Sections 1506.7, 1506.8, and 1506.9 to, the Health and Safety Code, relating to foster care.

Bill read third time.

Amendments Adopted

Amendments to AB 2661 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2921—An act to amend Sections 31001, 31119, 31125, 31300, 31402, 31403, 31405, 31410, and 31411 of, and to add Sections 31001.1, 31109, 31109.1, 31406, 31407, and 31408 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Amendments Adopted

Amendments to AB 2921 proposed by Senator Poochigian were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2147—An act to add Section 11751.82 to the Insurance Code, relating to liability insurance.

Bill read third time.

Amendments Adopted

Amendments to AB 2147 proposed by Senator Alpert were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 1546—An act to add Chapter 2.65 (commencing with Section 65089.11) to Division 1 of Title 7 of the Government Code, and to add Section 9250.5 to the Vehicle Code, relating to local government.

Bill read third time.

Amendments Adopted

Amendments to AB 1546 proposed by Senator Sher were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 750—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time.

Amendments Adopted

Amendments to AB 750 proposed by Senator Figueroa were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2867—An act to amend Section 1940.1 of the Civil Code, relating to tenancy.

Bill read third time.

Amendments Adopted

Amendments to AB 2867 proposed by Senator Cedillo were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2151—An act to add Section 16001.10 to the Welfare and Institutions Code, relating to adoption practices.

Bill read third time.

Amendments Adopted

Amendments to AB 2151 proposed by Senator Bowen were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2759—An act to add Section 1366.3 to the Health and Safety Code, and to add Section 10127.18 to the Insurance Code, relating to health care.

Bill read third time.

Amendments Adopted

Amendments to AB 2759 proposed by Senator Speier were read and adopted and the measure ordered printed and to second reading.

SENATE COMMITTEE ROLL CALLS**Committee on Appropriations****AB 1520**—Do pass

AYES(7)—Senators Alpert, Bowen, Burton, Escutia, Karnette, Machado, & Speier.

NOES (4)—Senators Aanestad, Ashburn, Battin, and Poochigian.

AB 2672—Do pass as amended

AYES (7)—Senators Alpert, Bowen, Burton, Karnette, Machado, Murray, & Speier.

NOES (3)—Senators Aanestad, Ashburn, and Battin.

AB 2753—Do pass

AYES (6)—Senators Alpert, Burton, Escutia, Karnette, Machado, and Murray.

NOES (5)—Senators Aanestad, Ashburn, Battin, Johnson, and Poochigian.

Failed Passage

Date of Hearing: 8/9/04

Alpert (Chair)

REQUESTS TO ADJOURN IN MEMORIAM

Senator Ackerman requested that when the Senate adjourns this day it do so in memory of Robert James Moore of Costa Mesa.

Senators Alpert and Ducheny requested that when the Senate adjourns this day it do so in memory of Charles Lewis of San Diego.

Senator Ashburn requested that when the Senate adjourns this day it do so in memory of Arthur Tognini of Bakersfield.

Senator Burton requested that when the Senate adjourns this day it do so in memory of Brian T. Onorato of Sacramento.

Senator Margett requested that when the Senate adjourns this day it do so in memory of Kalust Francev of Montebello.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned pursuant to the Senators' requests until 9:30 a.m., Tuesday, August 10, 2004.

WALTER J. LITTLE, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED FIFTY-SECOND LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, August 10, 2004

The Senate met at 9:30 a.m.
Hon. John L. Burton, of the 3rd District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kip 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, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Dunn, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos—38.

Quorum present.

(NOTE: Senator Vincent will be excused this day due to family illness.)

PRAYER

Prayer was offered by the Chaplain, Rev. Deacon Walter J. Little:

Creator God, You have given each of us a mind to know You, a will to serve You and a heart to love You. Be with us today in all that we do, so that Your light may shine out in our lives.—AMEN.

(St. Thomas More, adapted)

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Ashburn led the Senate in the pledge of allegiance to the Flag.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 9, 2004

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 18	SB 1306	SB 64	SB 1623
SB 524	SB 1385	SB 1181	SB 1647
SB 673	SB 1451	SB 1369	SB 1677
SB 1085	SB 1812	SB 1516	SB 1816
SB 1271	SCR 87	SB 1517	

And respectfully requests your honorable body to concur in said amendments.

Above measures ordered to unfinished business file.

Assembly Chamber, August 9, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

SB 1226	SB 1775	SB 1299	SB 1651
SB 1621	SB 1092	SB 1301	SB 1687
SB 1771	SB 1093	SB 1324	

Above measures ordered enrolled.

Assembly Chamber, August 9, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 3118

Assembly Chamber, August 9, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 148

ACR 149

Assembly Chamber, August 9, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 493

ACR 133

Assembly Chamber, August 9, 2004

Mr. President: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

AB 1980

E. DOTSON WILSON, Chief Clerk of the Assembly

Assembly Chamber, August 9, 2004

*The Honorable Greg Schmidt
Secretary of the Senate*

Dear Greg: Pursuant to the instructions of the Assembly, I am herewith returning AB 1990, AB 2072, AB 2170, AB 2384, AB 2782, AB 2821 to the Senate.

E. DOTSON WILSON, Chief Clerk of the Assembly

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 Bill 3118—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Concurrent Resolution 148—Relative to Domestic Violence Awareness Month.

Assembly Concurrent Resolution 149—Relative to Health Cares About Domestic Violence Day.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 2678—An act to add Chapter 1.5 (commencing with Section 99040) to Part 65 of the Education Code, relating to postsecondary education.

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 2606—An act to amend Sections 9270, 11402, and 11406 of, and to amend, repeal, and add Section 4466 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 2330—An act to add Section 50980 to the Government Code, relating to volunteer firefighters.

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 3050—An act to amend Section 20251 of the Public Contract Code, and to amend Section 188.10 of the Streets and Highways Code, relating to transportation.

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 1520—An act to add Chapter 8.7 (commencing with Section 1370) to Division 6 of the Military and Veterans Code, relating to veterans' memorials.

Bill read second time and ordered to third reading.

Assembly Bill 2672—An act to amend Section 72410 of, and to amend, repeal, and add Sections 72400, 72421, 72430, and 72440 of, and to add and repeal Section 72425 of, the Public Resources Code, relating to vessels.

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 2517—An act to add Section 13014 to the Fish and Game Code, relating to fish and game, 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 2007—An act to amend Sections 7632, 10150, 10151, 10153.3, 10210, 10215, 10226, 10226.5, and 12028 of the Business and Professions Code, relating to business, and making an appropriation therefor.

Bill read second time and ordered to third reading.

Assembly Bill 2189—An act to amend Section 22446.5 of, and to add Section 22443.4 to, the Business and Professions Code, relating to immigration consultants.

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 2860—An act to amend Sections 60607 and 60641 of the Education Code, relating to pupils.

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 2784—An act to amend Section 130054.1 of the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 1299—An act to amend Sections 1368.2, 1746, and 1749 of the Health and Safety Code, relating to health facilities.

Bill read second time and ordered to third reading.

Assembly Bill 2161—An act to amend Sections 10136, 10137, 10138, 10139, and 10139.5 of the Insurance Code, relating to structured settlements.

Bill read second time and ordered to third reading.

Assembly Bill 1820—An act to add and repeal Section 37700.1 of the Education Code, relating to schooldays.

Bill read second time and ordered to third reading.

Assembly Bill 2234—An act to amend Sections 31485.7, 31485.8, 31486.2, 31486.6, 31489, 31490, 31494.1, 31494.3, 31495.5, 31499.2, 31499.12, and 54957.1 of, to add Sections 31490.5, 31522.6, and 54956.81 to, and to repeal and add Sections 31486.3, 31499.3, and 31499.13 of, the Government Code, relating to county employees' retirement.

Bill read second time and ordered to third reading.

Assembly Bill 2661—An act to amend Section 1536 of, and to add Sections 1506.7, 1506.8, and 1506.9 to, the Health and Safety Code, relating to foster care.

Bill read second time and ordered to third reading.

Assembly Bill 2921—An act to amend Sections 31001, 31119, 31125, 31300, 31402, 31403, 31405, 31410, and 31411 of, and to add Sections 31001.1, 31109, 31109.1, 31406, 31407, and 31408 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Assembly Bill 2147—An act to add Section 11751.82 to the Insurance Code, relating to liability insurance.

Bill read second time and ordered to third reading.

Assembly Bill 1546—An act to add Chapter 2.65 (commencing with Section 65089.11) to Division 1 of Title 7 of the Government Code, and to add Section 9250.5 to the Vehicle Code, relating to local government.

Bill read second time and ordered to third reading.

Assembly Bill 750—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 2867—An act to amend Section 1940.1 of the Civil Code, relating to tenancy.

Bill read second time and ordered to third reading.

Assembly Bill 2151—An act to add Section 14105.23 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Assembly Bill 2759—An act to add Section 1366.3 to the Health and Safety Code, and to add Section 10127.18 to the Insurance Code, relating to health care.

Bill read second time and ordered to third reading.

Assembly Bill 2814—An act to amend Section 21167.6.5 of the Public Resources Code, relating to natural resources.

Bill read second time and ordered to third reading.

Assembly Bill 1946—An act to amend Section 1170 of the Penal Code, relating to sentencing.

Bill read second time and ordered to third reading.

Assembly Bill 2626—An act to amend Section 3502.1 of the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

SPECIAL CONSENT CALENDAR

Objections Raised

Senator Ortiz objected to **AB 1298** being on the Special Consent Calendar.

Senator Bowen objected to **AB 1913** and **SB 246** being on the Special Consent Calendar.

Senator Hollingsworth objected to **AB 2165**, **AB 2286**, and **AB 2436** being on the Special Consent Calendar.

Senator Soto objected to **AB 2201** being on the Special Consent Calendar.

Senator Kuehl objected to **AB 2855** being on the Special Consent Calendar.

Without objection **AB 2149**, **AB 2450**, **AB 2632**, **AB 2701**, **ACR 152**, **AB 2005**, **AB 2733** and **AB 3025** were removed from the Special Consent Calendar.

The President ordered the above measures placed on the third reading file.

Assembly Bill 1667—An act to amend Section 803 of, to add Sections 801.1 and 803.6 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2398—An act to amend Section 7097 of, and to add Section 7099 to, the Government Code, relating to economic development.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2807—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of, and to add Section 16131.5 to, the Welfare and Institutions Code, relating to children.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1934—An act to amend Section 115825 of, and to add and repeal Section 115843.3 of, the Health and Safety Code, relating to drinking water.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2224—An act to amend Sections 17557, 17558, 17558.5, and 17561 of, and to add Section 17572 to, the Government Code, relating to state mandates.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2439—An act to amend Section 115825 of, and to add and repeal Section 115843.5 of, the Health and Safety Code, relating to drinking water.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2519—An act to add Sections 7861.5, 8552.1, and 8552.3 to, the Fish and Game Code, relating to fish, making an

appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2565—An act to add and repeal Chapter 4.5 (commencing with Section 13998) of Part 4.7 of Division 3 of Title 2 of the Government Code, and to repeal Part 14 (commencing with Section 37980) of Division 24 of the Health and Safety Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2760—An act to amend Sections 1053, 1055, 1055.1, 1055.5, 1056, 1060, 2003, 7151, 7360, 7852.4, 7920, 8235, 8392, 8405.1, 8405.4, 8597, 9000, 9001.7, 9001.8, 9006, 13005, 15103, and 15104 of, to add Sections 1055.4, 9000.5, 9027, 9027.5, and 9029.5 to, to repeal Section 9001.5 of, and to repeal and add Section 9001.6 of, the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2982—An act to amend Section 31725.6 of, and to add Section 31725.65 to, the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 42—An act to amend Sections 56505 and 56505.2 of the Education Code, relating to special education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 72—An act to amend Sections 8212 and 8226 of the Education Code, and to amend Section 1596.853 of, and to add Sections 1596.773 and 1596.8555 to, the Health and Safety Code, relating to child care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 129—An act to amend Sections 241.1, 387, and 11401 of, and to add Sections 241.2 and 366.5 to, the Welfare and Institutions Code, relating to the juvenile court.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 502—An act to add Section 65950.5 to the Government Code, relating to local permits.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1000—An act to amend Sections 1502 and 2117 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1073—An act to add Section 17136.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1138—An act to amend amend Sections 22511.56 and 22511.57 of, and to amend, repeal, and add Section 5007 of, the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1338—An act to amend Sections 18662 and 18668 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1889—An act to amend Sections 216, 331, 335, 339, 340, 341.2, 341.5, 359, and 361 of, and to repeal Sections 338, 355, 356, 367.7, 373, and 376 of, the Public Utilities Code, relating to electrical restructuring.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2228—An act to amend Section 3111 of the Family Code, to add Section 1514.5 to the Probate Code, and to amend Section 827 of, and to add Section 204 to, the Welfare and Institutions Code, relating to minors.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2307—An act to add Article 2.6 (commencing with Section 1222) to Chapter 1 of Division 2 of the Health and Safety Code, relating to health care providers.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2353—An act to add and repeal Chapter 7 (commencing with Section 1963) of Division 2.5 of the Streets and Highways Code, and to amend Sections 385.5, 21250, 21251, and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2397—An act to amend Sections 4535.1, 7084, 7118, 14842, and 14842.5 of the Government Code, and to amend Sections 10303 and 12102 of the Public Contract Code, relating to public contracts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2401—An act to amend Section 13146.1 of, and to add and repeal Sections 12606.1, 13188.4, and 13197.6 of, the Health and Safety Code, relating to fire protection.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2635—An act to amend Section 1363.5 of the Fish and Game Code, relating to oak woodlands conservation.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2719—An act to add Section 12237 to the Government Code, relating to State Archives.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2747—An act to amend Section 17605 of the Welfare and Institutions Code, relating to social services.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2749—An act to amend Section 11167 of the Penal Code, and to amend Section 16206 of the Welfare and Institutions Code, relating to child protective services.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2791—An act to amend Sections 1337.1 and 1430 of the Health and Safety Code, relating to health facilities.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2816—An act to add Section 9253.5 to the Welfare and Institutions Code, relating to long-term care.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2839—An act to add Section 2785.5 to the Business and Professions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2861—An act to amend Section 4017.1 of the Penal Code, relating to sentenced persons.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2870—An act to amend Sections 12903, 12928, 12935, 12942, 12945, 12963.3, 12972, 12973, 12987, 12987.1, and 12989.2 of the Government Code, relating to employment.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 3029—An act to add Section 14045 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 44—Relative to Holocaust era insurance policies.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Joint Resolution 71—Relative to veterans health care.

Resolution read, adopted, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 1997—An act to amend Sections 66025.6, 69750, 69750.3, 69750.5, and 69751 of, to add Sections 69751.2 and 69751.8 to, and to repeal and add Section 69751.3 of, the Education Code, relating to postsecondary education.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2197—An act relating to water.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2527—An act to amend Section 290 of the Penal Code, relating to sex offender registration.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2841—An act to amend Sections 5019, 5020, 35531, 35542, 35555, 35565, 35566, 35570, 35709, 35710, 35710.5, 35722, 35753, 35756, and 35765 of, and to add Sections 35517, 35710.1, 35736.5, and 35784.5 to, the Education Code, and to amend Section 54902 of, and to repeal Section 54903.1 of, the Government Code, relating to school districts.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2909—An act to add Section 95029.5 to the Government Code, relating to early intervention services.

Bill read third time, passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Assembly Bill 2063—An act relating to public resources, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read and adopted, bill passed, and ordered transmitted to the Assembly.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1189—An act to amend Section 94 of the Streets and Highways Code, relating to transportation.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1615—An act to amend Sections 43843 and 44004 of the Health and Safety Code, and to amend Sections 4000.1 and 4000.2 of, the Vehicle Code, relating to air pollution.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1840—An act to amend Sections 9904, 9910, 9912, 9932, 9941, 9942, 9943, 9944, 9971, 9972, 9973, 9974, 9975, 9976, 9977, 9978, 9979, 9980, 9981, 9982, 10003, 10006, 10061, 10062, 10063, 10064, 10065, 10066, 10067, 10068, 10103, and 10151 of, to amend the headings of Article 3 (commencing with Section 9941) and Article 4 (commencing with Section 9971) of Chapter 2 of Part 2 of Division 5 of, to add Sections 9914, 9933, and 10100 to, to repeal Sections 9905, 9906, 9911, 10002, 10005, 10008, 10009, 10104, and 10105 of, to repeal Article 6 (commencing with Section 10031), Article 8 (commencing with Section 10081), and Article 10 (commencing with Section 10131) of Chapter 2 of Part 2 of Division 5 of, and to repeal and add Sections 9907, 10004, 10007, 10101, and 10102 of, the Food and Agricultural Code, relating to diseased animals, and declaring the urgency thereof, to take effect immediately.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

Senate Bill 1847—An act to amend Section 121360.5 of the Health and Safety Code, relating to communicable diseases.

The Senate concurred in Assembly amendments, and the measure ordered enrolled.

(NOTE: See Consent Calendar Roll Call)

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Burton moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill 1431—An act to amend Section 1345 of the Health and Safety Code, and to amend Section 1759 of the Insurance Code, relating to insurance.

Bill read third time and presented by Senator Scott.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Scott moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2021—An act to amend Sections 25214.12, 25214.13, 25214.14, 25214.15, 25214.16, and 25214.19 of, to amend and renumber the heading of Article 10.3 (commencing with Section 25214.11) of Chapter 6.5 of Division 20 of, and to add Sections 25214.17 and 25214.21 to, the Health and Safety Code, relating to hazardous waste.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2317—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2810—An act to amend Section 4612 of the Public Resources Code, relating to forest resources.

Bill read third time and presented by Senator Alpert.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (6)—Senators Aanestad, Ackerman, Ashburn, Johnson, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 3027—An act to amend Sections 112685, 112845, and 112850 of the Health and Safety Code, relating to canneries.

Bill read third time and presented by Senator Machado.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 3044—An act to add Section 1264 to the Health and Safety Code, relating to prenatal testing.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (8)—Senators Aanestad, Ackerman, Ashburn, Brulte, Hollingsworth, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2185—An act to add Section 1367.06 to the Health and Safety Code, relating to health care coverage.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Aanestad, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (9)—Senators Ackerman, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 2738—An act to add and repeal Section 13302.5 of the Government Code, relating to state electronic payment systems.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McClintock, Ortiz, Perata, Romero, Scott, Soto, Speier, and Torlakson.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2715—An act to add Chapter 33 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to telemarketing.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Aanestad, Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Kuehl, Machado, Ortiz, Perata, Romero, Sher, Soto, Speier, and Torlakson.

NOES (12)—Senators Ackerman, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution 189—Relative to the Bernie Richter Memorial Highway.

Resolution read third time and presented by Senator McClintock.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Machado, McClintock, McPherson, Morrow, Oller, Ortiz, Perata, Romero, Scott, Sher, Soto, and Torlakson.

NOES (1)—Senator Battin.

Resolution ordered transmitted to the Assembly.

Assembly Bill 107—An act to add Section 8600.5 to the Water Code, relating to water.

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 (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado,

Margett, McPherson, Morrow, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (2)—Senators Ashburn and McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 320—An act to add Section 143.5 to the Business and Professions Code, relating to professions and vocations.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McClintock, Ortiz, Perata, Romero, Scott, Sher, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2043—An act to add Section 1760 to the Harbors and Navigation Code, relating to ports.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2629—An act to add Section 1566.75 to the Health and Safety Code, relating to community care facilities.

Bill read third time and presented by Senator Chesbro.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Ashburn, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette,

Kuehl, Machado, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2686—An act to add Sections 49571 and 49591 to the Education Code, relating to schools.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2106—An act to add Article 7.5 (commencing with Section 9147.1) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to repeal Section 13305 of, the Government Code, relating to state government.

Bill read third time and presented by Senator Cedillo.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1999—An act to amend Section 66602 of, and to repeal Sections 90450 and 90500 of, the Education Code, and to amend Section 10760 of the Public Contract Code, relating to the California State University.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (10)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 1431)**

On motion of Senator Scott, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 1431 was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, McPherson, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1776—An act to amend Section 2105 of the Corporations Code, and to amend Section 7480 of the Government Code, relating to production of records.

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, Johnson, McClintock, Morrow, Oller, and Poochigian.

(Note: Reconsideration granted later this day)

Assembly Bill 403—An act to amend Section 12104 of the Financial Code, relating to check sellers and proraters.

Bill read third time and presented by Senator Speier.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Senator Romero Presiding

Assembly Bill 2849—An act to amend Sections 66602 and 66606 of the Education Code, relating to the California State University.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (14)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1725—An act to amend Sections 7197, 8617, and 8662 of the Business and Professions Code, relating to structural pest control.

Bill read third time and presented by Senator Cedillo.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (24)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Hollingsworth, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2216—An act to amend Section 7073 of, and to add Section 7069.1 to, the Business and Professions Code, and to amend repeal, and add Section 802 of the Penal Code, relating to contractors.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, McPherson, Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (4)—Senators Aanestad, Margett, McClintock, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 2252—An act to amend Sections 11000, 11000.1, 11004.5, 11018.1, and 11018.5 of, to add Chapter 2 (commencing with Section 11210) to Part 2 of Division 4 of, to repeal Sections 11003.5, 11004.6, 11018.8, 11018.9, 11018.10, 11018.11, and 11024 of, and to repeal Article 8.5 (commencing with Section 10250) of Chapter 3 of Part 1 of Division 4 of, the Business and Professions Code, to amend Sections 1365.1 and 1367.1 of the Civil Code, to amend Section 25021 of the Corporations Code, to amend Section 30610 of the Public Resources Code, and to amend Sections 998, 2188.8, 2188.9, and 7280 of the Revenue and Taxation Code, relating to time-share developments.

Bill read third time and presented by Senator McPherson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

(Note: Reconsideration granted later this day)

Assembly Bill 2520—An act to amend Sections 1637 and 1639 of, and to add Article 16.3 (commencing with Section 1758.7) to Chapter 5 of Part 2 of Division 1 of the Insurance Code, relating to self-service storage agents.

Bill read third time and presented by Senator Scott.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (1)—Senator Hollingsworth.

Bill ordered transmitted to the Assembly.

Assembly Bill 2591—An act to amend Sections 5371.4, 5411.5, 5412.2, and 5413.5 of, and to add Section 5381.5 to, the Public Utilities Code, relating to charter-party carriers.

Bill read third time.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (28)—Senators Ackerman, Alarcón, Alpert, Battin, Bowen, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (7)—Senators Aanestad, Ashburn, Brulte, Hollingsworth, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 1859—An act to add Section 17350.5 to the Corporations Code and to amend Sections 17941 and 17945 of the Revenue and Taxation Code, relating to limited liability companies.

Bill read third time and presented by Senator Ducheny.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (36)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 594—An act to add Section 2828 to the Public Utilities Code, relating to private energy producers.

Bill read third time and presented by Senator Sher.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Poochigian, Romero, Scott, Sher, Soto, and Speier.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER (AB 2252)

Senator McPherson moved to reconsider the vote whereby AB 2252 passed to the Assembly.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Measure ordered returned to third reading.

UNFINISHED BUSINESS**Consideration of Governor's Appointment**

Senator Burton placed the following Governor's appointment before the Senate:

Thomas Eres, State Director and California Adjutant General of the Military Department

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, and Torlakson.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Burton placed the following Governor's appointment before the Senate:

Jerome S. Moss, Member, California Horse Racing Board

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller,

Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Consideration of Governor's Appointment

Senator Burton placed the following Governor's appointment before the Senate:

Matthew L. Cate, Inspector General of the Youth and Adult Correctional Agency

The President put the question: "Will the Senate advise and consent to the appointment by the Governor?"

Roll Call

The roll was called and the appointment was confirmed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 921—An act to add Section 60810.5 to the Education Code, relating to pupil testing

Bill read third time and presented by Senator Soto.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (23)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, McPherson, Murray, Ortiz, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2431—An act to amend Sections 12028, 12028.5, 12028.7, 12030, and 12084 of, and to add Section 12021.3 to, the Penal Code, and to repeal Section 8107 of the Welfare and Institutions Code, relating to firearms.

Bill read third time and presented by Senator Bowen.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (27)—Senators Alarcón, Alpert, Ashburn, Battin, Bowen, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette,

Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (7)—Senators Aanestad, Ackerman, Hollingsworth, Johnson, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 2240—An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

Bill read third time and presented by Senator Kuehl.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (22)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (12)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Hollingsworth, Johnson, Margett, McClintock, Morrow, Oller, and Poochigian.

Bill ordered transmitted to the Assembly.

Assembly Bill 2473—An act to amend Section 714 of the Civil Code, to repeal and add Section 65850.5 of the Government Code, and to repeal and add Section 17959.1 of the Health and Safety Code, relating to solar energy.

Bill read third time and presented by Senator Torlakson.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (30)—Senators Aanestad, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Soto, Speier, and Torlakson.

NOES (2)—Senators Ackerman and Margett.

Bill ordered transmitted to the Assembly.

Assembly Bill 2677—An act to add Chapter 10.27 (commencing with Section 672) to Part 1 of Division 1 of the Insurance Code, relating to insurance.

Bill read third time and presented by Senator Escutia.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (31)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson,

Morrow, Murray, Ortiz, Perata, Poochigian, Romero, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2857—An act to amend Section 1604 of the Revenue and Taxation Code, relating to taxation.

Bill read third time and presented by Senator Bowen.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Bowen moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 2866—An act to add Section 1871.9 to the Insurance Code, relating to workers' compensation.

Bill read third time and presented by Senator Figueroa.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (35)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Bill ordered transmitted to the Assembly.

Assembly Bill 2989—An act to amend Section 11454 of the Welfare and Institutions Code, relating to public social services.

Bill read third time and presented by Senator Figueroa.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Figueroa moved a call of the Senate.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 3070—An act to amend Sections 25004, 25102.1, 25231, and 25532 of, and to repeal Section 28506 of, the Corporations Code, and to amend Section 22337 of the Financial Code, relating to financial transactions.

Bill read third time and presented by Senator Florez.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (1)—Senator McClintock.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution 193—Relative to higher education. Resolution read third time and presented by Senator Scott.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (25)—Senators Alarcón, Alpert, Bowen, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (5)—Senators Aanestad, Hollingsworth, McClintock, Morrow, and Oller.

Resolution ordered transmitted to the Assembly.

Senator Burton Presiding**UNFINISHED BUSINESS (RESUMED)****Consideration of Assembly Amendments**

Senate Bill 871—An act to add Section 1810.3 to the Vehicle Code, relating to vehicles, and declaring the urgency thereof to take effect immediately.

Bill presented by Senator Torlakson.

The question being: Shall the Senate concur in the Assembly amendments to SB 871?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (28)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Denham, Ducheny, Escutia, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Romero, Sher, Soto, Torlakson, and Vasconcellos.

NOES (3)—Senators Bowen, McClintock, and Speier.

Above bill ordered enrolled.

Senate Joint Resolution 24—Relative to pharmaceutical advertising. Resolution presented by Senator Ortiz.

The question being: Shall the Senate concur in the Assembly amendments to SJR 24?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (21)—Senators Alarcón, Bowen, Burton, Chesbro, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (11)—Senators Aanestad, Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, McClintock, McPherson, Morrow, and Oller.

Above resolution ordered enrolled.

Senate Joint Resolution 29—Relative to food marketing and advertising directed to children.

Resolution presented by Senator Kuehl.

The question being: Shall the Senate concur in the Assembly amendments to SJR 29?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (22)—Senators Aanestad, Alarcón, Bowen, Burton, Chesbro, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, McPherson, Murray, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, and Vasconcellos.

NOES (9)—Senators Ashburn, Battin, Brulte, Denham, Hollingsworth, Johnson, McClintock, Morrow, and Oller.

Above resolution ordered enrolled.

Senate Bill 1264—An act to repeal Sections 64.5 and 69.8 of the Harbors and Navigation Code, and to amend Sections 5018.1, 5019.11, 5019.15, 6331.5, and 29777 of, to amend the heading of Chapter 1.77 (commencing with Section 5097.993) of Division 5 of, to amend and renumber Sections 5097.993, 5097.994, 5097.995, and 5097.996 of, and to repeal Sections 6226, 22054, 25689, and 30237 of, the Public Resources Code, relating to natural resources.

Bill presented by Senator Kuehl.

The question being: Shall the Senate concur in the Assembly amendments to SB 1264?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (33)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Romero, Scott, Sher, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Above bill ordered enrolled.

Senate Bill 1764—An act to amend Section 120440 of the Health and Safety Code, relating to immunization.

Bill presented by Senator Speier.

The question being: Shall the Senate concur in the Assembly amendments to SB 1764?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Above bill ordered enrolled.

Senate Bill 749—An act to amend Section 70357 of, and to add Section 70379 to, the Government Code, and to amend Section 366.28 of the Welfare and Institutions Code, relating to courts, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Senator Escutia.

The question being: Shall the Senate concur in the Assembly amendments to SB 749?

Roll Call

The roll was called and the Senate concurred in Assembly amendments by the following vote:

AYES (34)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Bowen, Brulte, Burton, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 3079—An act to amend Sections 3110.5, 6222, and 7120 of the Family Code, to amend Sections 6103.2, 68085, 68115, 68502.7, 68926, 68927, 71622, 72190, and 77006.5 of, and to repeal Section 72407 of, the Government Code, and to amend Sections 366.21 and 16010.6 of the Welfare and Institutions Code, relating to the courts.

Bill read third time.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (21)—Senators Alarcón, Bowen, Burton, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Margett, Murray, Ortiz, Perata, Romero, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (9)—Senators Aanestad, Ackerman, Ashburn, Brulte, Denham, Hollingsworth, McClintock, Morrow, and Oller.

Bill ordered transmitted to the Assembly.

Assembly Bill 2716—An act to amend Sections 14087.96, 14087.961, 14087.9625, 14087.966, and 14087.969 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time and presented by Senator Karnette.

Roll Call

The roll was called and the bill was passed by the following vote:

AYES (32)—Senators Aanestad, Ackerman, Alarcón, Ashburn, Battin, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (2)—Senators Bowen and McClintock.

Bill ordered transmitted to the Assembly.

Assembly Bill 2800—An act to amend Sections 66400, 66401, 66402, 66403, 66404, and 66405 of, and to add Article 14 (commencing with Section 32440) to Chapter 3 of Part 19 of, the Education Code, relating to academic materials.

Bill read third time and presented by Senator McPherson.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator McPherson moved a call of the Senate.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2857)**

On motion of Senator Bowen, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2857 was passed by the following vote:

AYES (21)—Senators Alarcón, Alpert, Bowen, Burton, Cedillo, Chesbro, Escutia, Figueroa, Florez, Karnette, Kuehl, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (16)—Senators Aanestad, Ackerman, Ashburn, Battin, Brulte, Denham, Ducheny, Hollingsworth, Johnson, Machado, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2989)**

On motion of Senator Figueroa, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2989 was passed by the following vote:

AYES (22)—Senators Alarcón, Bowen, Burton, Cedillo, Chesbro, Ducheny, Escutia, Figueroa, Florez, Karnette, Kuehl, Machado, Murray, Ortiz, Perata, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (13)—Senators Aanestad, Ackerman, Ashburn, Battin, Denham, Hollingsworth, Johnson, Margett, McClintock, McPherson, Morrow, Oller, and Poochigian.

Above bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SPECIAL CONSENT CALENDAR)**

On motion of Senator Burton, further proceedings under the call of the Senate were dispensed with.

Consent Calendar Roll Call

The roll was called and the above measures on the Special Consent Calendar passed by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (AB 2800)**

On motion of Senator McPherson, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and AB 2800 was refused passage by the following vote:

AYES (14)—Senators Aanestad, Ackerman, Battin, Bowen, Denham, Ducheny, Hollingsworth, Margett, McPherson, Morrow, Murray, Scott, Speier, and Vasconcellos.

NOES (16)—Senators Alarcón, Ashburn, Burton, Cedillo, Figueroa, Florez, Johnson, Karnette, Kuehl, Machado, Oller, Perata, Romero, Sher, Soto, and Torlakson.

MOTION TO RECONSIDER (AB 1776)

Senator Florez moved to reconsider the vote whereby AB 1776 passed to Assembly.

Roll Call

The roll was called and reconsideration was granted by the following vote:

AYES (37)—Senators Aanestad, Ackerman, Alarcón, Alpert, Ashburn, Battin, Bowen, Brulte, Burton, Cedillo, Chesbro, Denham, Ducheny, Escutia, Figueroa, Florez, Hollingsworth, Johnson, Karnette, Kuehl, Machado, Margett, McClintock, McPherson, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Romero, Scott, Sher, Soto, Speier, Torlakson, and Vasconcellos.

NOES (0)—None.

Measure ordered returned to third reading.

GOVERNOR REQUESTED TO RETURN BILL

On the request of Senator Sher, the Secretary of the Senate was requested to ask the Governor to return SB 1906 to the Senate for further action.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
August 10, 2004

To the Members of the Senate:

Pursuant to your request, I am returning SB 1906, to the Senate for further action.

Sincerely,

PAMELA K. OTO
Private Secretary of the Governor

Above bill ordered transmitted to the Assembly on request of Senator Sher.

**CONSIDERATION OF DAILY FILE (RESUMED)
MOTIONS TO TAKE MEASURES FROM THE INACTIVE FILE**

Senator Alpert moved that **SB 7** be taken from the inactive file and returned to the Assembly.

Senator Ortiz moved that **AB 1798** be taken from the inactive file and placed on the second reading file.

Senator Ducheny moved that **AB 159** be taken from the inactive file and placed on the second reading file.

Motions carried.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing the Joint Legislative Audit Committee to meet on August 11 without notice in the Daily File.

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 1199 to be heard in the committee on Local Government on August 12 without notice in the Daily File.

RE-REFERENCE TO COMMITTEE

Pursuant to Senate Rule 29.10, **SB 18** was referred to the Committee on Rules.

SPECIAL ORDER OF BUSINESS

Without objection, SB 18 was set as a special order of business for Thursday, August 19, at 10 a.m..

REQUEST TO BE ADDED TO ROLL CALL

August 10, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 2216—Aye	AB 1725—Aye	AB 2520—Aye
AB 2591—Aye	AB 1859—Aye	AB 921—Aye
AB 2431—Aye	AB 3070—Aye	ACR 193—Aye

JOHN L BURTON, President pro Tempore

August 10, 2004

Mr. Secretary: Pursuant to the provisions of Senate Rule 44, I request to be recorded as voting on the following measures taken up on this day:

AB 3044—No	AB 2715—No	AB 2106—No
AB 1776—No	AB 1725—No	AB 921—No
GOV appt.: Eres—Aye		

DICK ACKERMAN, Minority Floor Leader

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day due to family illness: Senator Vincent.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 12:05 p.m., on motion of Senator Burton, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Burton moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Wednesday, August 11, 2004.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 10, 2004

Mr. President: I am directed to inform your honorable body that the Assembly appointed the following Members of the Assembly as a Committee on Conference concerning AB 1980: Wolk, Leno, and Samuelian.

E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Senate Chamber, August 10, 2004

Mr. President: The Chair of the Committee on Judiciary, to which was referred:

AB 2319

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 2319—An act relating to intellectual property.

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, August 5, 2004

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 816

Reports the same back with the recommendation: That the above measure be placed on second reading pursuant to Senate Rule 28.8 and amended.

ALPERT, Chair

Above measure ordered to second reading.

Committee on Rules

Senate Chamber, August 10, 2004

Mr. President: The Chair of the Committee on Rules, to which were referred:

SCR 90

AB 1558

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BURTON, Chair

Second Reading of Bills—Author's Amendments

Senate Concurrent Resolution 90—Relative to the Pearl Harbor Memorial Highway.

Resolution read second time.

Assembly Bill 1558—An act to amend Section 14087.54 of, and to add Section 14087.48 to, the Welfare and Institutions Code, relating to health care benefits.

Bill read second time.

Request to Add Urgency Section

To the Committee on Rules: I request permission to add an urgency section to AB 1558 pursuant to Joint Rule 58.

ASSEMBLY MEMBER DAUCHER

Permission of Rules Committee

Senate Chamber, August 10, 2004

The Committee on Rules grants permission to offer amendments which would add an urgency section to AB 1558.

BURTON, Chair

The amendments were read and adopted and the measures ordered printed and re-referred to the committee.

JOINT RULE 62(a) SUSPENDED

Without objection, Joint Rule 62(a) was suspended for the purpose of allowing AB 265 to be heard in the Committee on Appropriations on August 12 without notice in the File.

MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE

Without objection, **AB 1558** and **AB 1839** were withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules; and

SCR 91 was withdrawn from the Committee on Natural Resources and Wildlife and re-referred to the Committee on Rules.

RE-REFERENCE TO COMMITTEE

Without objection, **AB 2151** was referred to the Committee on Rules.

MOTION TO STRIKE FROM FILE

Senator Machado moved that **SB 1591** be stricken from the file.

Governor's veto sustained.

SPECIAL CONSENT CALENDAR SET

Without objection, the following measures will be set as a Special Consent Calendar to be taken up on August 11:

SB 1085	SB 1517	SCR 87	AB 2161
SB 1306	SB 1647	AB 2517	AB 1820
SB 1181	SB 1677	AB 2860	AB 2661
SB 1516	SB 1816	AB 2784	AB 2921

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 1814)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 1814 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 1814

Assembly Bill 1814—An act to add and repeal Section 487h of the Penal Code, relating to theft.

Bill read.

Motion to Amend

Amendments to AB 1814 proposed by Senator Cedillo were read and adopted and the measure ordered printed and to second reading.

**UNANIMOUS CONSENT GRANTED
TO RESCIND ACTION (AB 2821)**

Without objection, unanimous consent was granted that the action be rescinded whereby AB 2821 was passed to the Assembly, and that the measure be taken up at this time without reference to file.

Consideration of Assembly Bill 2821

Assembly Bill 2821—An act to add Section 14019.7 to the Welfare and Institutions Code, relating to health care services.

Bill read.

Motion to Amend

Amendments to AB 2821 proposed by Senator Aanestad were read and adopted and the measure ordered printed and to second reading.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill 1931—An act to amend Section 830.1 of the Penal Code, relating to peace officers.

Bill read third time.

Amendments Adopted

Amendments to AB 1931 proposed by Senator Aanestad were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2306—An act to amend Section 56376.5 of the Government Code, relating to local agency reorganization.

Bill read third time.

Amendments Adopted

Amendments to AB 2306 proposed by Senator Perata were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2580—An act to amend Sections 297.5 and 299 of the Family Code, and to amend Section 14771 of the Government Code, relating to domestic partnerships.

Bill read third time.

Amendments Adopted

Amendments to AB 2580 proposed by Senator Kuehl were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 672—An act to amend Section 51504 of the Health and Safety Code, relating to affordable housing, and making an appropriation therefor.

Bill read third time.

Amendments Adopted

Amendments to AB 672 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 382—An act to amend Section 17133 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

Amendments Adopted

Amendments to AB 382 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2149—An act to amend Sections 1538.2 and 1538.5 of, and to add Sections 1524.6, 1538.3, and 1538.6 to, the Health and Safety Code, relating to community care facilities.

Bill read third time.

Amendments Adopted

Amendments to AB 2149 proposed by Senator Scott were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2733—An act to add Section 5009 to the Water Code, relating to water.

Bill read third time.

Amendments Adopted

Amendments to AB 2733 proposed by Senator Hollingsworth were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 3025—An act to amend Sections 2203, 2275, 12042, 12046, 24011, 27571, 27572, 32505, 32511, 35013, and 80074 of and to add Section 2003 to, the Food and Agricultural Code, relating to agriculture.

Bill read third time.

Amendments Adopted

Amendments to AB 3025 proposed by Senator Machado were read and adopted and the measure ordered printed and to second reading.

Assembly Bill 2761—An act to add Section 1936.05 to the Civil Code, relating to vehicle rental agreements.

Bill read third time.

Amendments Adopted

Amendments to AB 2761 proposed by Senator Ducheny were read and adopted and the measure ordered printed and to second reading.

REQUEST FOR UNANIMOUS CONSENT (AB 2350)

Senator Romero asked for, and was granted, unanimous consent that AB 2350 be taken from the inactive file and taken up at this time.

Consideration of Assembly Bill 2350

Assembly Bill 2350—An act to amend Sections 7300.1, 7300.3, 7300.4, 7301.1, 7301.5, 7309.1, 7310, 7311, 7311.1, 7311.2, 7311.3, 7311.4, 7313, 7315, 7316, and 7324 of the Labor Code, relating to safety in employment.

Bill read second time.

Motion to Amend

Amendments to AB 2350 proposed by Senator Romero were read and adopted and the measure ordered printed and to second reading.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Burton, the Senate adjourned until 9:30 a.m., Wednesday, August 11, 2004.

WALTER J. LITTLE, Minute Clerk

