

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 15, 2005
TWENTY-FIFTH SESSION DAY
SEVENTY-SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 15, 2005

The Assembly met at 12:01 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member La Suer moved a quorum call of the Assembly.
At 12:02 p.m., Speaker pro Tempore Yee placed a quorum call upon
the Assembly.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:03 p.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—68:

Arambula	Dymally	Laird	Richman
Baca	Evans	Leno	Ridley-Thomas
Bass	Frommer	Leslie	Runner
Benoit	Garcia	Levine	Ruskin
Berg	Goldberg	Lieber	Saldaña
Bermúdez	Gordon	Liu	Salinas
Blakeslee	Hancock	Matthews	Spitzer
Calderon	Harman	Maze	Strickland
Canciamilla	Horton, Jerome	Montañez	Torrico
Chan	Houston	Mullin	Umberg
Chavez	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cohn	Karnette	Nava	Walters
Coto	Klehs	Negrete McLeod	Wolk
Daucher	Koretz	Niello	Wyland
De La Torre	La Malfa	Parra	Yee
DeVore	La Suer	Pavley	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, Help us to remember what is truly important . . . that we are Your children and You are our Father. You love us for who we are and how we live, not what we look like or what we own. We rely on Your constant love. In the midst of our work today, Lord, we take this time to fulfill our duty of prayer by giving thanks to You, the giver of every good and perfect gift.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Richman then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Benoit.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Aghazarian, Bogh, Emmerson, Haynes, Keene, Mountjoy, Plescia, and Tran.

On legislative business, and waiving per diem: Assembly Member Cogdill.

On personal business, and waiving per diem: Assembly Member McCarthy.

Because of illness: Assembly Members Shirley Horton and Oropeza.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 9, 2005

*The Honorable Cindy Montañez
Chair, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, California*

Dear Assemblymember Montañez: The purpose of this letter is to respectfully request that I be excused from Session, February 15, and Check-in Session on February 16 and 17. I will be out of town on Legislative business.

If you have any questions, please contact Rebecca Wood at 319-2026.

Sincerely,

GREG AGHAZARIAN, Assembly Member
Twenty-sixth District

February 10, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Assembly Speaker Núñez,

This letter is a request to be excused from Session and Check-in Session from Tuesday, February 15, 2005 through Thursday, February 17, 2005 for legislative business.

Thank you for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
Sixty-fifth District

January 11, 2005

The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session February 15–17, 2005. I will be traveling to Washington D.C. to meet with California’s Congressional delegation. Additionally, I am requesting that my per diem be waived for those three days.

Thank you for your consideration of this request. If you have any questions, please contact me at 319-2025.

Sincerely,

DAVE COGDILL, Assembly Member
Twenty-fifth District

February 11, 2005

The Honorable Fabian Núñez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: The purpose of this letter is to respectfully request to be excused February 15–17 due to legislative business.

If you have any questions, please contact Teresa Trujillo at 319-2063. Thank you for your prompt attention to this matter.

Sincerely,

BILL EMMERSON, Assembly Member
Sixty-third District

February 8, 2005

*The Honorable Fabian Núñez
Speaker of the House
California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: Please excuse my absence from Assembly Floor Session on Tuesday, February 15, 2005, and Check-in Session on Wednesday, February 16, and Thursday, February 17 due to legislative business.

Sincerely,

RAY HAYNES, Assembly Member
Sixty-sixth District

February 11, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219*

Dear Mr. Speaker: I respectfully request to be excused from session on Tuesday, February 15, 2005 and check-in on Wednesday, February 16 and check-in on Thursday, February 17, 2005 due to legislative business.

Please call Melanie Perron in my Capitol office with any questions or concerns. Thank you for your consideration of this request.

Sincerely,

RICK KEENE, Assembly Member
Third District

February 10, 2005

*The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol
Sacramento, California*

Dear Speaker Núñez: This is to request that I be excused from session on Tuesday, February 15 for legislative business.

Thank you in advance for your favorable consideration of this request.

Sincerely,

DENNIS MOUNTJOY, Assembly Member
Fifty-ninth District

February 10, 2005

Hon. Fabian Núñez
Speaker of the Assembly
State Capitol
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session February 15–17, 2005. I have legislative business to attend to.

If you have any questions regarding this request, please feel free to contact Beth Helmsin in my office at 319-2075.

Sincerely,

GEORGE A. PLESCIA, Assembly Member
 Seventy-fifth District

February 9, 2005

The Honorable Fabian Núñez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker,

I write to you today to respectfully request that I be excused from Assembly Session from Tuesday, February 15, through Friday, February 18, for legislative business.

If you have any questions, please contact David Titus at (916) 319-2068.

Sincerely,

VAN TRAN, Assembly Member
 Sixty-eighth District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 15, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have created the Assembly Legislative Ethics Committee for the 2005–06 Regular Session and have appointed the following members:

Assemblymember Gloria Negrete McLeod, Democratic Co-Chair
 Assemblymember Dave Cogdill, Republican Co-Chair

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

February 15, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have made the following changes to the Standing and Sub Committee Meetings Schedule for the 2005–06 Regular Session:

Assembly Education Committee will meet every Wednesday at 1:30 p.m. in Room 126.

Assembly Local Government Committee will meet weeks 2nd and 4th at 1:30 p.m. in Room 447.

Assembly Budget Subcommittee No. 3 will meet every week at 8:30 a.m. in Room 447.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

Statement of General Fund Cash Receipts and Disbursements
July 1, 2004 through November 30, 2004
(Pursuant to Government Code Section 12461.1)

Above transmitted report, together with letter of transmittal from Steve Westly, State Controller, dated December 10, 2004, referred by the Speaker to the Committee on Budget.

Contracting Report:
Disabled Veteran Business Enterprise Participation

Above transmitted report, from Anna Yee, Business Services Officer, Department of Financial Institutions, referred by the Speaker to the Committee on Veterans Affairs.

Budget and Expenditure Report through
First Quarter of Fiscal Year 2004–05
(Pursuant to Budget Act 2004, Item 1900-015-0830)

Above transmitted report, together with letter of transmittal from Fred Buenrostro, Chief Executive Officer, California Public Employees' Retirement System, dated December 28, 2004, referred by the Speaker to the Committee on Budget.

Contracting Report:
Disabled Veteran Business Enterprise Participation

Above transmitted report, from Andrea Corona, Business Services Assistant, Department of Finance, referred by the Speaker to the Committee on Veterans Affairs.

Regulatory Actions Taken by This Agency in Response to
the Enactment of Senate Bill 1102
(Pursuant to Senate Bill 1102, Chapter 227, Statutes of 2004)

Above transmitted report, together with letter of transmittal from John C. Duncan, Chairman, California Public Employment Relations Board, dated December 13, 2004, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Budget Allocation Evaluation Workgroup Report
(Pursuant to Assembly Bill 1752, Chapter 225, Statutes of 2003)**

Above transmitted report, together with letter of transmittal from Greta Wallace, Director, Department of Child Support Services, dated December 10, 2004, referred by the Speaker to the Committee on Budget.

**2004 Medi-Cal Payment Error Study (MPES) Report
(Pursuant to Budget Act 2004-05)**

Above transmitted report, together with letter of transmittal from Sandra Shewry, Director, Department of Health Services, dated January 7, 2005, referred by the Speaker to the Committee on Budget.

**California Developmental Disabilities Information System (CADDIS)
Final Monthly Status Report, October 2004
(Pursuant to Senate Bill 1113, Chapter 208, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated February 2, 2005, referred by the Speaker to the Committee on Budget.

Faculty Compensation

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated February 3, 2005, referred by the Speaker to the Committee on Budget.

**Employment Training Panel Annual Report 2003-04
(Pursuant to Unemployment Insurance Code Section 10205)**

Above transmitted report, together with letter of transmittal from Ada Carrillo, Acting Executive Director, Employment Training Panel, dated February 4, 2005, referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

**Quarterly Hazardous Waste Fee Revenue Report
October 1, 2004 through December 31, 2004
(Pursuant to Health and Safety Code Section 25178.1)**

Above transmitted report, together with letter of transmittal from Ramon J. Hirsig, Executive Director, Board of Equalization, dated February 8, 2005, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Progress Report on Bilingual Services
(Pursuant to Labor Code Section 176(f))**

Above transmitted report, together with letter of transmittal from Michael Pro시오, Assistant Secretary, Labor and Workforce Development Agency, dated February 8, 2005, referred by the Speaker to the Committee on Labor and Employment.

**Senate Bill 960 Section 13 Report
on Timely Resolution of the Proceedings and Commissioner Presence at Hearings
(Pursuant to Senate Bill 960, Chapter 856, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated January 28, 2005, referred by the Speaker to the Committee on Utilities and Commerce.

**California Low Cost Automobile Insurance Program Annual Report
(Pursuant to Insurance Code Section 11629.85)**

Above transmitted report, together with letter of transmittal from John Garamendi, Insurance Commissioner, dated February 1, 2005, referred by the Speaker to the Committee on Insurance.

**2003-04 Emergency Medical Services Fund (EMS) Report
(Pursuant to Health and Safety Code Section 1797.98a)**

Above transmitted report, together with letter of transmittal from Charles B. Mosher, MD, MPH, Health Officer, Mariposa County Public Health Department, dated February 8, 2005, referred by the Speaker to the Committee on Health.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

21	-----	Health and B. & P.
94	-----	B. & P.
166	-----	Health and L. Gov.
178	-----	G.O.
186	-----	L. & E.
201	-----	Health and L. Gov.
213	-----	Health
214	-----	P.E.,R. & S.S.
215	-----	E. & R.
216	-----	E. & R.
218	-----	Rev. & Tax.
219	-----	B. & P.
221	-----	Pub. S.
223	-----	B. & P.
224	-----	P.E.,R. & S.S.
225	-----	Health
226	-----	B. & P.
227	-----	Ins.
228	-----	Health
229	-----	Ins.
232	-----	Higher Ed.
233	-----	Hum. S.
234	-----	L. & E.
236	-----	Rev. & Tax.
238	-----	Jud.
240	-----	Pub. S.
241	-----	B. & F.
242	-----	Ins.
245	-----	L. Gov.
246	-----	Pub. S.
247	-----	Rev. & Tax.
249	-----	Rev. & Tax.
250	-----	L. Gov.
252	-----	A.,E.,S.,T. & I.M.
253	-----	Pub. S.
255	-----	V.A.
257	-----	Health

258	-----	Health
260	-----	G.O.
263	-----	E.S. & T.M.
265	-----	Jud.
267	-----	Trans.
268	-----	B. & P.
269	-----	Hum. S.
270	-----	Nat. Res.
271	-----	P.E.,R. & S.S.

Assembly Concurrent

<i>Resolution No.</i>		<i>Committee</i>
12	-----	Rls.
13	-----	Rls.
14	-----	Rls.

Assembly Joint

<i>Resolution No.</i>		<i>Committee</i>
6	-----	Rls.

Senate

<i>Bill No.</i>		<i>Committee</i>
22	-----	Appr.
50	-----	Rev. & Tax.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 15, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 30
 Assembly Bill No. 71

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES
Committee on Public Safety

Date of Hearing: February 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 16

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LENO, Chair

Above bill ordered to second reading.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint Legislative Audit Committee, on Tuesday, February 22, 2005, upon adjournment of Assembly and Senate Floor Sessions, in Room 4202.

Assembly Member Frommer was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting on Tuesday, February 15, 2005, upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 22 and 29 for hearing.

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

SENATE CONCURRENT RESOLUTION NO. 6 (Morrow)—Relative to the 60th anniversary of the World War II invasion of the Island of Iwo Jima.

Resolution read, and presented by Assembly Member DeVore.

Members Made Coauthors of Senate Concurrent Resolution No. 6

Assembly Member DeVore was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 6.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Arambula, Baca, Bass, Berg, Blakeslee, Calderon, Chan, Chavez, Chu, Cohn, Coto, De La Torre, Dymally, Frommer, Garcia, Goldberg, Hancock, Harman, Houston, Karnette, Klehs, Laird, Leno, Levine, Lieber, Matthews, Montañez, Mullin, Nation, Nava, Negrete McLeod, Niello, Núñez, Parra, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Umberg, Vargas, Walters, and Wolk.

Request for Unanimous Consent

Assembly Member DeVore was granted unanimous consent to take up Senate Concurrent Resolution No. 6, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 6, as Amended

SENATE CONCURRENT RESOLUTION NO. 6—Relative to the 60th anniversary of the World War II invasion of the Island of Iwo Jima.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ANNOUNCEMENTS

Speaker pro Tempore Yee announced as a reminder, that March 1, 2005 is the deadline for members to file their form 700, Statement of Economic Interests. The forms must be filed with the Chief Clerk's office by 5 p.m., March 1, 2005, attention Pam Cavileer.

Speaker pro Tempore Yee announced that Friday, February 18, 2005 is the bill introduction deadline. The Assembly Desk will remain open until 5 p.m. for the purpose of introducing bills.

ADJOURN IN MEMORY

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Stamps, of Crescent City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Chan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Clay Morgan Wilson, of Oakland.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Ruskin and Cohn were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Fire Captain Mark McCormack, of Morgan Hill.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carl Ferraro, of Los Feliz.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Negrete McLeod was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Christopher Michael Brulotte, of Rancho Cucamonga and Mayelley Marin, of Ontario.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rev. Leo McAllister, of Carmichael, Assembly Chaplain 1969–1978 and Senate Chaplain 1986–1988.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Pavley, Koretz, Goldberg, and Ridley-Thomas were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marjorie Braude, of Brentwood.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ossie Davis, of Washington.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY**Moment of Silence**

Assembly Member Saldaña was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maria Plasencia, of San Diego and that the Assembly observe a moment of silence in honor of all the individuals in whose memory the Assembly adjourns today.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jessica Danielle Dennis, of Crescent City.

Assembly Members Evans and Nation were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gary Walker, of Sonoma.

Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Capt. Sean L. Brock, of Redondo Beach.

Assembly Member Jerome E. Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Walter Haskell, of Inglewood.

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Staff Sgt. Joseph W. Stevens, of Sacramento.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Stan Seiderman, of San Anselmo.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Callie Leonard, of Benicia; Thomas K. Allewelt and James M. O'Keefe, of Davis; Helen Gifford Couture and Floyd Daniel Dula, of Fairfield; Laverne Simons, of Rio Vista; Rose T. LaRocca, of Suisun City; Jennifer Brouwer and Otto Mahoney, of Vacaville; Joseph Espigares, John S. Peiffer, and Daryle Ray Sussdorf, of Woodland.

MOTION TO ADJOURN

At 12:36 p.m., Assembly Member Negrete McLeod moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:37 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 398—Villines. An act to amend Sections 17255 and 24356 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 399—Montanez. An act to add Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

ASSEMBLY BILL NO. 400—Gordon. An act to add Section 21080.36 to the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 401—Goldberg. An act to amend the heading of Chapter 4 (commencing with Section 33500) of Part 20 of, and to add Article 8 (commencing with Section 33610) to Chapter 4 of Part 20 of, the Education Code, relating to education and workforce preparation.

ASSEMBLY BILL NO. 402—Dymally. An act to amend Section 8702 of the Government Code, relating to borders.

ASSEMBLY BILL NO. 403—La Malfa. An act relating to hazardous materials.

ASSEMBLY BILL NO. 404—Leno. An act to amend Section 1810.7 of the Insurance Code, relating to bail licenses.

ASSEMBLY BILL NO. 405—Montanez. An act to amend Sections 17609 and 17610.5 of, and to add Sections 17610.1 and 17610.2 to, the Education Code, relating to school-sites.

ASSEMBLY BILL NO. 406—Haynes. An act to add Chapter 6 (commencing with Section 945.6) to Title 7 of Part 2 of Division 2 of the Civil Code, relating to construction defects.

ASSEMBLY BILL NO. 407—Calderon. An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 408—Tran. An act to repeal Sections 35815 and 35816 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 409—Yee. An act to amend Section 14838 of the Government Code, relating to state contracts.

ASSEMBLY BILL NO. 410—Yee. An act to amend Section 999.2 of the Military and Veterans Code, relating to disabled veteran business enterprises.

ASSEMBLY BILL NO. 411—Yee. An act to amend Section 10262.5 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 412—Goldberg. An act relating to education.

ASSEMBLY BILL NO. 413—Yee. An act to add Section 19961.5 to the Business and Professions Code, relating to gaming.

ASSEMBLY BILL NO. 414—Klehs. An act to amend Section 1771.7 of the Labor Code, relating to labor compliance programs.

ASSEMBLY BILL NO. 415—Harman. An act to amend and repeal Section 1282.4 of the Code of Civil Procedure, relating to arbitration.

ASSEMBLY BILL NO. 416—Plescica. An act to amend Section 38131 of the Education Code, relating to schools.

ASSEMBLY BILL NO. 417—Aghazarian. An act to amend Section 25600 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 418—Koretz. An act to add Section 597.7 to the Penal Code, relating to animals.

ASSEMBLY BILL NO. 419—Koretz. An act to amend Section 6753 of the Family Code, and to amend Section 1308.9 of the Labor Code, relating to artistic employment contracts.

ASSEMBLY BILL NO. 420—Shirley Horton. An act to amend Section 44280 of the Education Code, relating to subject matter examinations and assessments.

ASSEMBLY BILL NO. 421—Spitzer (Principal coauthors: Bermudez and Parra) (Coauthor: Sharon Runner) (Coauthor: Senator Runner). An act to add Section 530.2 to the Penal Code, relating to crime.

ASSEMBLY BILL NO. 422—Vargas. An act to amend Section 22352 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 423—Spitzer. An act to amend Section 43.55 of the Civil Code, relating to liability.

ASSEMBLY BILL NO. 424—Calderon. An act to amend Sections 530.6 and 530.8 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 425—Negrete McLeod. An act to add Section 22444.5 to the Business and Professions Code, relating to immigration consultants.

ASSEMBLY BILL NO. 426—Bogh. An act to add Section 21655.1 to the Vehicle Code, relating to transportation.

ASSEMBLY BILL NO. 427—La Malfa. An act to add Section 4453.1 to the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 428—Gordon. An act to amend Section 25761 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 429—Chu. An act to amend Section 527.8 of the Code of Civil Procedure, to amend Section 6383 of the Family Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to temporary restraining orders and protective orders.

ASSEMBLY BILL NO. 430—Nava. An act to amend Section 44517 of the Education Code, relating to public school administrators.

ASSEMBLY BILL NO. 431—Aghazarian. An act to amend Section 340.2 of the Code of Civil Procedure, relating to statutes of limitation.

ASSEMBLY BILL NO. 432—Oropeza. An act to amend Sections 331 and 3500 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 433—Nava. An act to amend Section 1241 of the Business and Professions Code, relating to clinical laboratories.

ASSEMBLY BILL NO. 434—Parra. An act to amend Section 14860 of the Financial Code, relating to credit unions.

ASSEMBLY BILL NO. 435—Liu. An act to add Section 9108 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 436—Plescica. An act to amend Section 14105.48 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 437—Parra. An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 438—Parra. An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 439—Parra. An act to amend Sections 290 and 1203.4 of, and to repeal Section 290.1 of, the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 440—Matthews. An act to add Section 6608.7 to the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 441—Chu. An act to amend Section 25110 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 442—Villines. An act relating to community care facilities.

ASSEMBLY BILL NO. 443—Yee. An act to amend Section 48931 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 444—Yee. An act to amend Section 49531.1 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 445—Walters. An act to add Section 1367.08 to the Health and Safety Code, and to add Section 101191.1 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 446—Negrete McLeod. An act to amend Section 922 of the Business and Professions Code, relating to medicine.

ASSEMBLY BILL NO. 447—La Suer. An act to amend Sections 8718 and 8823 of the Family Code, relating to adoption.

ASSEMBLY BILL NO. 448—La Suer. An act to repeal Chapter 2.3 (commencing with Section 12275) of Title 2 of Part 4 of the Penal Code, relating to assault weapons.

ASSEMBLY BILL NO. 449—Plescia. An act to amend and repeal Sections 19613 and 19613.3 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 450—Yee. An act to add Title 1.2A (commencing with Section 1746) to Part 4 of Division 3 of the Civil Code, relating to violent video games.

ASSEMBLY BILL NO. 451—Yee (Coauthors: Jones and Oropeza). An act to amend Sections 7204.03 and 7205 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 452—Yee. An act to amend Section 97.1 of, and to add and repeal Section 97.2 of, the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 453—Benoit. An act to amend Sections 2454, 2456, and 2458 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 454—Sharon Runner. An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 455—Goldberg. An act to amend Section 49600 of the Education Code, relating to at-risk pupils.

ASSEMBLY BILL NO. 456—Torrico. An act to add Article 3 (commencing with Section 20085) to Chapter 1 of Part 3 of Division 5 of Title 2 of the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 457—Torrico. An act relating to public employees' retirement.

ASSEMBLY BILL NO. 458—Torrico. An act relating to public employees' retirement.

ASSEMBLY BILL NO. 459—Oropeza. An act to amend Section 10241 of the Business and Professions Code, and to amend Section 2963 of, and to add Section 1102.6c to, the Civil Code, relating to transfer of real property.

ASSEMBLY BILL NO. 460—Parra. An act to amend Sections 9561 and 9562 of the Food and Agricultural Code, relating to animals.

ASSEMBLY BILL NO. 461—Shirley Horton. An act to add Section 148.1 to the Streets and Highways Code, and to amend Section 21650 of the Vehicle Code, relating to transportation.

ASSEMBLY BILL NO. 462—Tran. An act to amend Section 4454 of the Government Code, relating to disability access, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 463—Tran. An act to amend Section 54957 of the Government Code, relating to local agencies.

ASSEMBLY BILL NO. 464—Daucher. An act to amend Sections 4780, 4782, 4784, and 4785 of the Probate Code, relating to health care directives.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 10—Nunez. 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.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 15—Evans. Relative to InHome Supportive Services Caregiver Recognition Week.

AUTHOR’S AMENDMENTS

Committee on Revenue and Taxation

February 15, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 3

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

KLEHS, Chair

ASSEMBLY BILL NO. 3—An act to add Section 17208 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: February 15, 2005

Mr. Speaker: Your Committee on Appropriations reports:
Senate Bill No. 22
Senate Bill No. 29

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: February 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 64

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bill re-referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

Senate Chamber, February 15, 2005

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

Senate Concurrent Resolution No. 6

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, February 15, 2005

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

Senate Concurrent Resolution No. 5

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 5—Relative to the Deputy Bruce Lee Memorial Highway.

INTRODUCTION OF GUESTS

Assembly Member Huff, of the 60th Assembly District, introduced members of the China Senior Group: Sun Wei Ben, Heilongjiang Province Municipal People's Congress Chairman; Xie Zhong Tian, China Periodical Association President; Zhao Chong Fu, Harbin City Dongli District Governor; Xie Zhong Zhi, Harbin City Xian Fan District Bureau of Retired Veteran Cadres; Chang Yu Lan, Harbin City Daoli District Bureau of Retired Veteran Cadres; Cao Jie, Harbin City Dongli District Bureau of Retired Veteran Cadres; and Issey Feng.

ADJOURNMENT

At 4 p.m., pursuant to the motion by Assembly Member Negrete McLeod, the Assembly adjourned until 7 a.m., Wednesday, February 16, 2005, out of respect to the memory of Bill Stamps, on motion of Assembly Member Benoit; out of respect to the memory of Dr. Clay Morgan Wilson, on motion of Assembly Member Chan; out of respect to the memory of Fire Captain Mark McCormack, on motion of Assembly Members Ruskin and Cohn; out of respect to the memory of Carl Ferraro, on motion of Assembly Member Frommer; out of respect to the memory of Christopher Michael Brulotte and Mayelly Marin, on motion of Assembly Member Negrete McLeod; out of respect to the memory of Rev. Leo McAllister, on motion of Assembly Member Niello; out of respect to the memory of Marjorie Braude, on motion of Assembly Members Pavley, Koretz, Goldberg, and Ridley-Thomas; out of respect to the memory of Ossie Davis, on motion of Assembly Member Dymally; out of respect to the memory of Maria Plasencia, on motion of Assembly Member Saldaña; out of respect to the memory of Jessica Danielle Dennis, on motion of Assembly Member Berg; out of respect to the memory of Gary Walker, on motion of Assembly Members Evans and Nation; out of respect to the memory of Capt. Sean L. Brock, on motion of Assembly Member Gordon; out of respect to the memory of Walter Haskell, on motion of Assembly Member Jerome E. Horton; out of respect to the memory of Staff Sgt. Joseph W. Stevens, on motion of Assembly Member Jones; out of respect to the memory of Stan Seiderman, on motion of Assembly Member Nation; out of respect to the memory of Callie Leonard, Thomas K. Allewelt, James M. O'Keefe, Helen Gifford Couture, Floyd Daniel Dula, Laverne Simons, Rose T. LaRocca, Jennifer Brouwer, Otto Mahoney, Joseph Espigares, John S. Peiffer, and Daryle Ray Sussdorf, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 15, 2005**

The following measure was amended in the Assembly on this day:

AB RN

3 0508286

Daily Total: 1

Cumulative Total: 15

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