

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 17, 2005

FORTY-THIRD SESSION DAY

ONE HUNDRED 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
Thursday, March 17, 2005

The Assembly met at 9:30 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Neva Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mullin moved a quorum call of the Assembly.
Motion carried.

At 9:31 a.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 9:33 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—69:

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

PRAYER

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

In honor of Saint Patrick’s Day, we offer the following Irish prayer this morning:

May God grant you always
A sunbeam to warm you,
A moonbeam to charm you,
A sheltering Angel so nothing can harm you.
Laughter to cheer you,
Faithful friends near you,
And whenever you pray,
Heaven to hear you.

AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Mullin 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 Cogdill.

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 Emerson, Hancock, Harman, La Suer, Mountjoy, Runner, and Saldaña.

On personal business, and waiving per diem: Assembly Members Nakanishi and Pavley.

Because of illness: Assembly Members Gordon and Oropeza.

EXPLANATIONS OF ABSENCE

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

March 9, 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 an excuse from session on Thursday, March 17, 2005 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

March 16, 2005

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

Dear Mr. Speaker: I respectfully request an excused absence from Session on March 17, 2005. I have legislative business in the district.

Then I will attend the Sub 1 hearing in Los Angeles leaving from Oakland.

Sincerely,

LONI HANCOCK, Assembly Member
Fourteenth District

February 7, 2005

*Hon. Fabian Núñez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, March 17, 2005 due to legislative business in my district.

If you have any questions, please contact Kelly Garman at 916-319-2067.

Thank you for your consideration of this request.

Sincerely,

TOM HARMAN, Assembly Member
Sixty-seventh District

March 16, 2005

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

Dear Mr. Speaker: I need to be excused from legislative session tomorrow, Thursday, March 17 on legislative business. My district office was broken into last night for the second time and I need to attend to the security of the office and my staff.

Thank you for your consideration.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

March 16, 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 for legislative business for Thursday, March 17.

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

Sincerely,

DENNIS MOUNTJOY, Assembly Member
Fifty-ninth District

March 11, 2005

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

Dear Speaker Núñez: I am writing to request an excused absence for March 17, 2005. I will be in my district on legislative business attending several meeting and events. Further, I also have an imperative doctor's appointment.

Should you have any questions regarding this request, please contact Aaron Bone in my office at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member
 Thirty-sixth District

March 10, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from floor session on Thursday, March 17, 2005. I will be in my district conducting legislative business and participating in our two-day staff retreat. My presence is imperative in order to conduct a successful staff retreat.

Thank you for your consideration.

Sincerely,

LORI SALDAÑA, Assembly Member
 Seventy-sixth District

REPORTS

The following reports were presented by the Chief Clerk:

Semi-Annual Report Outlining the Progress of Acquisition, Design, Equipping, Construction, Establishment, and Expansion of the Veterans Homes Specified in Government Code Section 15819.60 (Pursuant to Military and Veterans Code Section 1104.2(e))

Above transmitted report, together with letter of transmittal from Tom Johnson, FACHE, Secretary, Department of Veterans Affairs, dated March 1, 2005, referred by the Speaker to the Committee on Veterans Affairs.

Commercial Vehicle Registration Act of 2001 Report (Pursuant to Senate Bill 2084, Chapter 861, Statutes of 2000 and Assembly Bill 1472, Chapter 826, Statutes of 2001)

Above transmitted report, together with letter of transmittal from Joan M. Borucki, Director, Department of Motor Vehicles, dated March 10, 2005, referred by the Speaker to the Committee on Transportation.

**Financial Statements for the Year Ended December 31, 2004
(Prepared from Books Without Audit)
(Pursuant to Government Code Section 8880.22)**

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Director, Finance and Administration Division, California Lottery, dated March 14, 2005, referred by the Speaker to the Committee on Governmental Organization.

**Franchise Tax Board Supplemental Reports on
Audit and Collections Activities, Fiscal Years 2004–05 and 2005–06 and
Docketed Protest Case Inventory—As of November 30, 2004
(Pursuant to Supplemental Language of the Budget Acts of 1999 and 2001)**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated March 4, 2005, referred by the Speaker to the Committee on Revenue and Taxation.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 17, 2005

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

Assembly Concurrent Resolution No. 31

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, March 17, 2005

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

Assembly Bill No. 12

Assembly Bill No. 304

Assembly Bill No. 253

Assembly Bill No. 319

Assembly Bill No. 294

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Cohn, Lieber and Mullin were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

SPECIAL COMMITTEE MEETINGS

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

Select Committee on Hate Crimes, on Saturday, March 26, 2005, at 10:30 a.m.;

Select Committee on the Los Angeles County Health Care Crisis, on Friday, April 1, 2005, in Los Angeles.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 167 from the Committee on Public Safety to the Committee on Health;

Assembly Bill No. 204 from the Committee on Insurance to the Committee on Judiciary.

RECESS

By unanimous consent, at 9:41 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

**At 9:42 a.m., Assistant Speaker pro Tempore Sally Lieber,
22nd District, presiding**

Assembly Member Cohn introduced and then presented a resolution to JW Knapen. Sixteen-year-old JW has struggled with cancer for much of his life and is currently fighting an inoperable brain tumor. He and Dr. Alan Wong are working together to create the “JW House” a place where the families of Kaiser cancer patients may stay to be close by during the patients’ lengthy cancer treatments.

JW was accompanied by Anne Marie Knapen and Geert Knapen, his parents; Helena, Elisabeth, and Alexander, his siblings; Dr. Alan Wong; Charles Koch, Kaiser Vice President and Area Manager; Noella Tabladillo, Kaiser Community and Government Relations Manager; and Barbara Mount and Helen Owens, of the JW House Fund.

RECONVENED

At 9:44 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

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

ASSEMBLY BILL NO. 275—An act to amend Section 11703 of the Health and Safety Code, relating to controlled substances.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY CONCURRENT RESOLUTION NO. 1—Relative to Proposition 71 the California Stem Cell Research and Cures Initiative.

Resolution read; amendments proposed by the Committee on Health read and adopted; resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 19 (Mullin)—Relative to Irish-American Heritage Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 19**

Assembly Member Mullin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 19.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, DeVore, Dymally, Evans, Frommer, Garcia, Goldberg, Shirley Horton, Houston, Huff, Jones, Karnette, Klehs, Koretz, La Malfa, Laird, Leno, Leslie, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Nation, Nava, Negrete McLeod, Niello, Núñez, Parra, Plescia, Richman, Ridley-Thomas, Ruskin, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Mullin was granted unanimous consent to take up Assembly Concurrent Resolution No. 19, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 19, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 19—Relative to Irish-American Heritage Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate immediately.

RECESS

By unanimous consent, at 9:50 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Mullin introduced dancers from the Kennelly School of Irish Dance who then performed for the Assembly.

RECONVENED

At 10 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

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

HOUSE RESOLUTION NO. 9 (Frommer)—Relative to Colorectal Cancer Awareness Month.

Resolution read.

Members Made Coauthors of House Resolution No. 9

Assembly Member Frommer was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 9.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Berg, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, De La Torre, DeVore, Evans, Garcia, Goldberg, Jerome Horton, Houston, Karnette, Keene, Klehs, La Malfa, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, McCarthy, Montañez, Nation, Nava, Negrete McLeod, Núñez, Parra, Plescia, Richman, Ridley-Thomas, Ruskin, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Frommer was granted unanimous consent to take up House Resolution No. 9, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 9, as Amended

HOUSE RESOLUTION NO. 9—Relative to Colorectal Cancer Awareness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

BILLS REMOVED FROM CONSENT CALENDAR

The following resolution was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Concurrent Resolution No. 31, on request of Assembly Member Frommer.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Resolution

ASSEMBLY CONCURRENT RESOLUTION NO. 25 (Benoit)—Relative to Rotary International Day.

Resolution read, and adopted by the following vote:

AYES—69

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

NOES—None

Resolution ordered transmitted to the Senate.

ADJOURN IN MEMORY

Moment of Silence

Assembly Member Cohn was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pam Butler, of Santa Clara, and that the Assembly observe a moment of silence in her honor.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Justice Robert K. Puglia, of Carmichael.

(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 Ulishous J. Davis, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jack Phillips, of Industry and Boy Jin Wong, of West Covina.

Assembly Members Jones and Chu were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bernice Archibald, of Sacramento.

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jennifer Choppin Fitzgerald and Bill Grabinski, of Long Beach.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Al Schwartz, of Carnelian Bay.

Assembly Member Lieber was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Lou Zoglin, of Mountain View.

Assembly Member Montañez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Socorro Montañez Carillo, of Alhambra.

Assembly Member Parra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ryan “R.J.” Horner, Jr., of Lemoore.

Assembly Member Richman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ray Martin, of Granada Hills.

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 Freda Dachtler and Mark S. Taylor, of Davis; Alice Janet Smith, Norine Mary Stemmler, Ronald Tomes, and Everett Williams, of Fairfield; Robert Kilowatt Constantine, Wayne C. Henderson, Stephen Thomas Guzzo, and Mary Annette Monday, of Vacaville; Jeff Bloom, Emanuel Pete Mehler, and Frank A. Styler, of West Sacramento; Hylida N. Madigan and SueDea Cummins Morris, of Woodland.

POINT OF PERSONAL PRIVILEGE

Assembly Member Haynes arose to a point of personal privilege.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record her vote on the following item:

Consent Calendar: Montañez—Aye.

MOTION TO ADJOURN

At 10:14 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:15 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REFERENCE OF BILLS TO COMMITTEE

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

*Assembly**Bill No.**Committee*

83	-----	Health
290	-----	E.S. & T.M.
293	-----	B. & P.
331	-----	B. & P. and Pub. S.
459	-----	B. & F. and L. Gov.
472	-----	Hum. S.
507	-----	B. & P.
546	-----	B. & P.
594	-----	B. & P.
595	-----	B. & P. and Health
598	-----	Health and Jud.
602	-----	B. & P.
617	-----	Hum. S. and Jud.
619	-----	Jud. and H. & C.D.
622	-----	Health and Ed.
623	-----	L. Gov.
707	-----	Ed.
709	-----	E. & R.
712	-----	L. Gov. and H. & C.D.
722	-----	Rev. & Tax.
739	-----	E. & R.
748	-----	U. & C.
762	-----	B. & P.
763	-----	L. Gov.
770	-----	H. & C.D.
781	-----	H. & C.D.
793	-----	Ins.
799	-----	L. Gov. and Rev. & Tax.
802	-----	L. Gov. and W.,P. & W.
806	-----	Pub. S.
807	-----	Pub. S.
808	-----	Pub. S.
811	-----	Health and Hum. S.
812	-----	Hum. S. and Health
815	-----	L. & E.
823	-----	V.A.
830	-----	J., E.D. & E. and Rev. & Tax.
842	-----	Hum. S.
848	-----	W.,P. & W. and Nat. Res.
857	-----	Trans.
865	-----	B. & F.
876	-----	E. & R.
878	-----	Jud.
884	-----	P.E.,R. & S.S.
900	-----	Pub. S.

910	J., E.D. & E.
913	Trans.
914	Trans.
916	Pub. S.
919	L. Gov.
920	B. & P.
923	G.O.
936	Nat. Res.
938	E. & R.
943	Hum. S.
948	Trans. and B. & P.
962	U. & C.
964	Rev. & Tax.
978	Jud.
993	U. & C. and Nat. Res.
1009	U. & C.
1013	E. & R. and L. Gov.
1030	Rev. & Tax.
1036	Pub. S.
1052	Trans.
1067	Trans.
1086	W.,P. & W.
1099	Rev. & Tax.
1125	E.S. & T.M.
1128	W.,P. & W. and E. & R.
1131	Health
1138	P.E.,R. & S.S.
1143	B. & P.
1155	Health
1156	Nat. Res.
1163	B. & P.
1165	Nat. Res. and U. & C.
1168	E.S. & T.M.
1183	Ins. and Pub. S.
1187	Health and B. & P.
1188	Pub. S.
1193	Nat. Res. and A.,E.,S.,T. & I.M.
1209	Jud.
1226	Ins.
1227	L. Gov. and H. & C.D.
1233	L. Gov. and H. & C.D.
1234	L. Gov.
1244	W.,P. & W. and G.O.
1245	W.,P. & W.
1248	L. Gov.
1256	B. & P.
1265	H. & C.D.
1267	Pub. S.
1268	B. & P.
1269	Nat. Res. and E.S. & T.M.
1272	Nat. Res.
1278	Health and Jud.
1279	E.S. & T.M.
1292	Ed.

1295	-----	G.O.
1296	-----	Nat. Res.
1334	-----	B. & P.
1340	-----	E.S. & T.M.
1341	-----	E.S. & T.M.
1349	-----	Health and Pub. S.
1352	-----	L. Gov. and H. & C.D.
1353	-----	Trans. and Pub. S.
1356	-----	Nat. Res.
1357	-----	B. & P.
1359	-----	Health
1362	-----	U. & C. and Nat. Res.
1374	-----	B. & P.
1386	-----	B. & P. and Health
1389	-----	Pub. S.
1391	-----	E. & R.
1404	-----	Ed.
1413	-----	Trans.
1426	-----	Pub. S.
1448	-----	L. Gov.
1450	-----	L. Gov. and H. & C.D.
1458	-----	U. & C.
1460	-----	L. Gov.
1465	-----	B. & P.
1468	-----	Ed. and Higher Ed.
1469	-----	H. & C.D.
1470	-----	Pub. S.
1471	-----	Nat. Res.
1473	-----	B. & P.
1474	-----	Trans.
1475	-----	Trans.
1479	-----	H. & C.D.
1481	-----	Health
1482	-----	Ed.
1483	-----	Ed.
1484	-----	Pub. S.
1485	-----	Health
1487	-----	W.,P. & W.
1488	-----	Rev. & Tax.
1491	-----	H. & C.D. and L. Gov.
1492	-----	Ed.
1494	-----	G.O.
1495	-----	Jud.
1496	-----	Ed.
1497	-----	J., E.D. & E.
1499	-----	G.O.
1500	-----	L. & E.
1501	-----	Pub. S.
1503	-----	Ed.
1514	-----	L. & E.
1549	-----	Ins.
1560	-----	B. & F.
1562	-----	J., E.D. & E.
1564	-----	J., E.D. & E.

1565 ----- Hum. S.
 1566 ----- Pub. S.
 1567 ----- P.E.,R. & S.S.
 1573 ----- Rev. & Tax.
 1576 ----- U. & C.
 1578 ----- Ed.
 1584 ----- L. & E.
 1585 ----- U. & C. and Nat. Res.
 1589 ----- Rev. & Tax.
 1590 ----- L. Gov.
 1591 ----- Health
 1592 ----- Ed.
 1594 ----- V.A.
 1596 ----- L. Gov.
 1599 ----- L. Gov.
 1601 ----- Hum. S.
 1603 ----- Pub. S.
 1604 ----- Higher Ed.
 1608 ----- Ed.
 1609 ----- Ed.
 1610 ----- Ed.
 1614 ----- Rev. & Tax.
 1615 ----- Rev. & Tax.
 1618 ----- Rev. & Tax.
 1619 ----- Ins.
 1621 ----- U. & C. and Trans.
 1622 ----- Jud.
 1626 ----- L. & E.
 1627 ----- Trans.
 1628 ----- Rev. & Tax.
 1630 ----- Rev. & Tax.
 1631 ----- Rev. & Tax.
 1637 ----- Trans.
 1640 ----- Ins.
 1644 ----- Rev. & Tax.
 1647 ----- Pub. S.
 1648 ----- Health
 1649 ----- Trans.

Assembly Concurrent

Resolution No.

Committee

38 ----- Jud.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1762—Committee on Veterans Affairs (Gordon (Chair), DeVore (Vice Chair), Chavez, Evans, Oropeza, Plescia, and Saldana). An act to amend Section 13998.3 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 1763—Committee on Natural Resources (Hancock (Chair), La Malfa (Vice Chair), Gordon, Koretz, Saldana, and Wolk). An act to amend Sections 14574 and 14575 of the Public Resources Code, relating to beverage containers.

ASSEMBLY BILL NO. 1764—Committee on Natural Resources (Hancock (Chair), La Malfa (Vice Chair), Gordon, Koretz, Saldana, and Wolk). An act to amend Section 14581 of the Public Resources Code, relating to beverage containers, making an appropriation therefor.

ASSEMBLY BILL NO. 1765—Committee on Revenue and Taxation (Klehs (Chair), Canciamilla, DeVore, Jones, and Lieber). An act to amend Section 16302.1 of the Government Code, and to amend Sections 6479.3, 7659.9, 8760, 9405, 9407, 9411, 9420, 9432, 30180, 30190, 30283, 32260, 40067, 41060, 43170, 45160, 46160, 50112.7, 55050, 60043, 60250, and 60603 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1766—Committee on Revenue and Taxation (Klehs (Chair), Walters (Vice Chair), Canciamilla, DeVore, Jones, and Lieber). An act to amend Section 17052.6 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1767—Committee on Revenue and Taxation (Klehs (Chair), Canciamilla, Jones, and Lieber). An act to amend Sections 18670, 19950, and 21018 of, and to add Section 19136.7 to, the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1768—Committee on Public Safety (Leno (Chair), Dymally, Goldberg, and Ruskin). An act to add Chapter 6 (commencing with Section 13974.5) to Part 4 of Division 3 of Title 2 of the Government Code, relating to victims of crime, and making an appropriation therefor, to take effect immediately.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 41—Negrete McLeod and Bermudez (Principal coauthors: Chan, Cogdill, Cohn, Evans, Leno, Matthews, McCarthy, Parra, Tran, Wolk, and Yee). Relative to California Peace Officers' Memorial Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 42—Chu. Relative to the Province of Cheju, Republic of Korea.

ASSEMBLY JOINT RESOLUTION NO. 11—Chan. Relative to Social Security.

ASSEMBLY JOINT RESOLUTION NO. 12—Gordon. Relative to military base retention.

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

March 17, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 359

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

WOLK, Chair

ASSEMBLY BILL NO. 359—An act to add Section 5006.9 to the Public Resources Code, relating to parks.

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.

AUTHOR’S AMENDMENTS
Committee on Human Services

March 17, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 379

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

EVANS, Chair

ASSEMBLY BILL NO. 379—An act to amend Section 11322.8 of the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

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.

AUTHOR’S AMENDMENTS
Committee on Housing and Community Development

March 17, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:
Assembly Bill No. 396

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

MULLIN, Chair

ASSEMBLY BILL NO. 396—An act to amend Section 65863.7 of the Government Code, relating to land use.

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.

AUTHOR’S AMENDMENTS
Committee on Public Safety

March 17, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 98
Assembly Bill No. 376

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

LENO, Chair

ASSEMBLY BILL NO. 98—An act to amend Sections 7582.2, 7583.12, 7583.37, 7597.1, and 7597.6 of the Business and Professions Code, to amend Sections 171b, 171.5, 626.9, 12001, 12026, 12026.1, 12026.2, 12027, 12027.1, 12031, 12034, 12073, 12078, 12316, and 12807 of, and to repeal and add Section 12025 of, the Penal Code, and to amend Section 10334 of the Public Contract Code, relating to firearms.

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.

ASSEMBLY BILL NO. 376—An act to add Section 148.8 to the Penal Code, relating to false reports.

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.

AUTHOR'S AMENDMENTS

Committee on Environmental Safety and Toxic Materials

March 17, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 371

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

RUSKIN, Chair

ASSEMBLY BILL NO. 371—An act to amend Sections 5410 and 5415 of the Health and Safety Code, and to amend Sections 13260 and 13523 of, and to add Sections 13552.1, 13552.5, and 13557 to, the Water Code, relating to water.

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.

AUTHOR'S AMENDMENTS

Committee on Health

March 17, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 73

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

CHAN, Chair

ASSEMBLY BILL NO. 73—An act to add Section 14982 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; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Public Employees, Retirement and Social Security

March 17, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 310

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

TORRICO, Chair

ASSEMBLY BILL NO. 310—An act to add Section 21354.2 to the Government Code, relating to public employees' retirement.

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.

**AUTHOR'S AMENDMENTS
Committee on Transportation**

March 17, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 383

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

OROPEZA, Chair

ASSEMBLY BILL NO. 383—An act to amend Section 44062.1 of the Health and Safety Code, relating to air pollution.

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.

**AUTHOR'S AMENDMENTS
Committee on Business and Professions**

March 17, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 293

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

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 293—An act to amend Section 7195 of the Business and Professions Code, relating to home inspections.

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.

**AUTHOR'S AMENDMENTS
Committee on Rules**

March 17, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:
Assembly Concurrent Resolution No. 17

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

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 17—Relative to language education.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Housing and Community Development**

March 17, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 197
Assembly Bill No. 394

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

MULLIN, Chair

ASSEMBLY BILL NO. 197—An act to add Section 798.80.5 of the Civil Code, relating to mobilehomes.

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.

ASSEMBLY BILL NO. 394—An act to add Section 12956.2 to the Government Code, relating to housing.

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.

AUTHOR'S AMENDMENTS

Committee on Environmental Safety and Toxic Materials

March 17, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 290

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

RUSKIN, Chair

ASSEMBLY BILL NO. 290—An act to amend Section 116550 of the Health and Safety Code, relating to public water systems.

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.

AUTHOR'S AMENDMENTS

Committee on Health

March 17, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 83

Assembly Bill No. 360

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

CHAN, Chair

ASSEMBLY BILL NO. 83—An act relating to swimming pools.

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.

ASSEMBLY BILL NO. 360—An act to amend Sections 1324.20 and 1324.27 of the Health and Safety Code, and to amend Section 14126.02 of the Welfare and Institutions Code, relating to skilled nursing facilities.

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 Education

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Education reports:
Assembly Bill No. 15

With the recommendation: Do pass.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Banking and Finance

Date of Hearing: March 14, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:
Assembly Bill No. 279

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CALDERON, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 272

With the recommendation: Do pass, as amended.

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.

Committee on Rules

Date of Hearing: March 17, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Joint Resolution No. 6

With the recommendation: Be adopted.

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

MONTAÑEZ, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: March 17, 2005

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 26

With the recommendation: Be adopted.

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

MONTAÑEZ, Chair

Above resolution ordered to the Consent Calendar.

MESSAGES FROM THE SENATE

Senate Chamber, March 17, 2005

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

Assembly Bill No. 156

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

Above bill ordered enrolled.

Senate Chamber, March 17, 2005

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

Senate Bill No. 49

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

Senate Chamber, March 17, 2005

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

Senate Concurrent Resolution No. 31

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 49—An act to amend Sections 51203, 51283, 51283.4, and 51283.5 of the Government Code, relating to land conservation, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 31—Relative to the Joint Committee on the Master Plan for Education.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 17, 2005

*The Honorable Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Assembly Chamber*

Dear Mr. Wilson: I hereby give notice to your honorable house that the Senate this day confirmed the Governor's nominee, Bruce A. McPherson, to the office of Secretary of State.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 12 p.m., Tuesday, March 29, 2005, out of respect to the memory of Pam Butler, on motion of Assembly Member Cohn; out of respect to the memory of Justice Robert K. Puglia, on motion of Assembly Member Leslie; out of respect to the memory of Ulishous J. Davis, on motion of Assembly Member Dymally; out of respect to the memory of Jack Phillips and Boy Jin Wong, on motion of Assembly Member Chavez; out of respect to the memory of Bernice Archibald, on motion of Assembly Members Jones and Chu; out of respect to the memory of Jennifer Choppin Fitzgerald and Bill Grabinski, on motion of Assembly Member Karnette; out of respect to the memory of Al Schwartz, on motion of Assembly Member Leslie; out of respect to the memory of Mary Lou Zoglin, on motion of Assembly Member Lieber; out of respect to the memory of Socorro Montañez Carillo, on motion of Assembly Member Montañez; out of respect to the memory of Ryan "R.J." Horner, Jr., on motion of Assembly Member Parra; out of respect to the memory of Ray Martin, on motion of Assembly Member Richman; and out of respect to the memory of Freda Dachtler, Mark S. Taylor, Alice Janet Smith, Norine Mary Stemmler, Ronald Tomes, Everett Williams, Robert Kilowatt Constantine, Wayne C. Henderson, Stephen Thomas Guzzo, Mary Annette Monday, Jeff Bloom, Emanuel Pete Mehler, Frank A. Styler, Hylda N. Madigan, and SueDea Cummins Morris, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 17, 2005

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The following measures were amended in the Assembly on this day:

AB RN

73	0509607
83	0508519
98	0509328
197	0509594
275	0509372
290	0508892
293	0509341
310	0509521
359	0509458
360	0509602
371	0508897
376	0509298
379	0509399
383	0509000
394	0509491
396	0509272

ACR RN

1	0509614
17	0509482

Daily Total:	18
Cumulative Total:	110

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