

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, April 5, 2005**

**FORTY-EIGHTH SESSION DAY**

**ONE HUNDRED TWENTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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, April 5, 2005

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

**At 12:43 p.m., Hon. Rudy Bermúdez, 56th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Member Hancock.*

*On personal business, and waiving per diem: Assembly Members Jerome E. Horton and Vargas.*

*Because of illness: Assembly Member Gordon.*

(NOTE: For letter explaining the absence of Assembly Member Hancock on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 4, 2005.)

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Utilities and Commerce to hold an Informational Hearing on Monday, April 11, 2005, at 2 p.m.

**COMMUNICATIONS****Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated March 18, March 21, March 22, March 23 and March 25, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**School Employment Decisions. Employee Performance.  
Initiative Constitutional Amendment. SA 2005RF0028**

Referred by the Speaker to the Committee on Education.

**Prescription Drug Program.  
Initiative Statute. SA 2005RF0050**

Referred by the Speaker to the Committee on Health.

**Prescription Drugs.  
Initiative Statute. SA 2005RF0051**

Referred by the Speaker to the Committee on Health.

**Prescription Drugs Act.  
Initiative Statute. SA 2005RF0052**

Referred by the Speaker to the Committee on Health.

**Electric Service Providers. Regulation.  
Initiative Statute. SA 2005RF0053 Amdt. #1-NS**

Referred by the Speaker to the Committee on Utilities and Commerce.

**Juvenile Courts. Child's Mental Health Treatment. Parental Consent.  
Initiative Statute. SA 2005RF0055**

Referred by the Speaker to the Committee on Judiciary.

**Compacts Allowing Tribal Casinos. Urban Areas.  
Initiative Constitutional Amendment. SA 2005RF0057**

Referred by the Speaker to the Committee on Governmental Organization.

**Urban Areas. Tribal Casino Compacts.  
Initiative Constitutional Amendment. SA 2005RF0058**

Referred by the Speaker to the Committee on Governmental Organization.

**Mid-Decade District Reapportionment. Congressional Exception.  
Initiative Constitutional Amendment. SA 2005RF0062**

Referred by the Speaker to the Committee on Elections and Redistricting.

**Minimum Wage Increase.  
Initiative Statute. SA 2005RF0060**

Referred by the Speaker to the Committee on Labor and Employment.

**Corporate and Commercial Property Tax Increase. Sales Tax Reduction.  
Initiative Constitutional Amendment and Statute. SA 2005RF0033**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Corporate Taxation. Transportation and Road Maintenance Funding.  
Initiative Statute. SA 2005RF0042**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Corporate and Commercial Property Tax Increase. Reduction in Sales Tax.  
Initiative Constitutional Amendment and Statute. SA 2005RF0043**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Residential and Commercial Property Tax Rates. Home Owner's Exemption.  
Initiative Constitutional Amendment. SA 2005RF0047**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Increase in Minimum Wage.  
Initiative Statute. SA 2005RF0063**

Referred by the Speaker to the Committee on Labor and Employment.

**Defined Benefit Retirement Plan. Private Sector Employees.  
Initiative Statute. SA 2005RF0061**

Referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Commercial Property Taxes, Exemptions. Revenues for Schools,  
Transportation, Public Safety.  
Initiative Constitutional Amendment. SA 2005RF0059**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Commercial Real Property Taxation.  
Reassessment, Exemptions, and Revenue Distribution.  
Initiative Constitutional Amendment. SA 2005RF0034**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Prohibition on Government Employee Payroll Deductions for  
Political Purposes.  
Initiative Statute. SA 2005RF0066**

Referred by the Speaker to the Committee on Labor and Employment.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, April 5, 2005

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

Assembly Bill No. 31  
Assembly Bill No. 162  
Assembly Bill No. 430  
Assembly Bill No. 486  
Assembly Bill No. 624  
Assembly Bill No. 702

Assembly Bill No. 768  
Assembly Bill No. 820  
Assembly Bill No. 827  
Assembly Bill No. 967  
Assembly Bill No. 1349

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 5, 2005

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

- Assembly Concurrent Resolution No. 18
- Assembly Concurrent Resolution No. 36

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, April 5, 2005

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 34  | Assembly Bill No. 759  |
| Assembly Bill No. 72  | Assembly Bill No. 769  |
| Assembly Bill No. 163 | Assembly Bill No. 791  |
| Assembly Bill No. 175 | Assembly Bill No. 800  |
| Assembly Bill No. 176 | Assembly Bill No. 855  |
| Assembly Bill No. 205 | Assembly Bill No. 856  |
| Assembly Bill No. 211 | Assembly Bill No. 908  |
| Assembly Bill No. 270 | Assembly Bill No. 916  |
| Assembly Bill No. 525 | Assembly Bill No. 929  |
| Assembly Bill No. 568 | Assembly Bill No. 990  |
| Assembly Bill No. 576 | Assembly Bill No. 1071 |
| Assembly Bill No. 592 | Assembly Bill No. 1084 |
| Assembly Bill No. 602 | Assembly Bill No. 1091 |
| Assembly Bill No. 608 | Assembly Bill No. 1112 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 5, 2005

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1117 | Assembly Bill No. 1291 |
| Assembly Bill No. 1145 | Assembly Bill No. 1450 |
| Assembly Bill No. 1146 | Assembly Bill No. 1549 |
| Assembly Bill No. 1189 | Assembly Bill No. 1599 |
| Assembly Bill No. 1229 | Assembly Bill No. 1607 |
| Assembly Bill No. 1263 | Assembly Bill No. 1661 |
| Assembly Bill No. 1288 | Assembly Bill No. 1681 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Higher Education**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

- Assembly Bill No. 196
- Assembly Bill No. 1072
- Assembly Bill No. 1436

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

LIU, Chair

**ASSEMBLY BILL NO. 196**—An act to repeal and add Sections 99180, 99181, and 99182 of the Education Code, relating to postsecondary education.

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. 1072**—An act to add Section 66901.5 to, and to add Chapter 11.1 (commencing with Section 66910) to Part 40 of, the Education Code, relating to postsecondary education.

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. 1436**—An act to add Section 69433.3 to 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; 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 Education**

April 5, 2005

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

Assembly Bill No. 36

Assembly Bill No. 826

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

GOLDBERG, Chair

**ASSEMBLY BILL NO. 36**—An act to add Article 6 (commencing with Section 36000) to Chapter 4 of Part 21 of the Education Code, relating to school district reorganization.

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. 826**—An act relating to agriculture.

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**

April 5, 2005

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

Assembly Bill No. 721

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

RUSKIN, Chair

**ASSEMBLY BILL NO. 721**—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, 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 Local Government**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1234

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

SALINAS, Chair

**ASSEMBLY BILL NO. 1234**—An act to add Article 2.3 (commencing with Section 53232) and Article 2.4 (commencing with Section 53234) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local agencies.

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 Jobs, Economic Development, and the Economy**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1361

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

ARAMBULA, Chair

**ASSEMBLY BILL NO. 1361**—An act to amend Section 7073 of the Government Code, relating to economic development.

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**

April 5, 2005

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

Assembly Bill No. 75

Assembly Bill No. 228

Assembly Bill No. 76

Assembly Bill No. 497

Assembly Bill No. 78

Assembly Bill No. 657

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

CHAN, Chair

**ASSEMBLY BILL NO. 75**—An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to prescription drugs, 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.

**ASSEMBLY BILL NO. 76**—An act to amend Section 12803 of, to add Part 5.4 (commencing with Section 14570) to, and to repeal Chapter 12 (commencing with Section 14977) of Part 5.5 of, Division 3 of Title 1 of, the Government Code, relating to pharmaceuticals.

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. 78**—An act to add Division 113 (commencing with Section 150000) to the Health and Safety Code, relating to pharmacy benefits management.

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. 228**—An act to add Section 1374.17 to the Health and Safety Code, and to add Section 10123.21 to the Insurance Code, relating to health care coverage.

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. 497**—An act to amend Section 4161 of the Business and Professions Code, relating to pharmacy practices.

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. 657**—An act to amend Section 4076 of the Business and Professions Code, relating to pharmacies.

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 Education**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 927

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

GOLDBERG, Chair

**ASSEMBLY BILL NO. 927**—An act to amend Sections 8208, 8235, 8236, 8237, and 8241 of the Education Code, relating to early education, and declaring the urgency thereof, to take effect immediately.

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**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:  
Assembly Bill No. 397  
Assembly Bill No. 877

Assembly Bill No. 1048  
Assembly Bill No. 1637

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

OROPEZA, Chair

**ASSEMBLY BILL NO. 397**—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

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. 877**—An act to amend Section 22651 of the Vehicle Code, relating to vehicles.

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. 1048**—An act to amend Sections 15242 and 34501.12 of the Vehicle Code, relating to motor carriers.

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. 1637**—An act to amend Sections 27000 and 42001 of, and to add Section 42001.20 to, the Vehicle Code, relating to vehicles.

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 Agriculture**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:  
Assembly Bill No. 1059

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

MATTHEWS, Chair

**ASSEMBLY BILL NO. 1059**—An act to amend Section 56382.5 of the Food and Agricultural Code, relating to growers.

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 Labor and Employment**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:  
Assembly Bill No. 985

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

KORETZ, Chair

**ASSEMBLY BILL NO. 985**—An act to add Section 230.5 to the Labor Code, relating to labor.

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**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Assembly Bill No. 439

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

LENO, Chair

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

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**

April 5, 2005

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

Assembly Joint Resolution No. 8

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

RUSKIN, Chair

**ASSEMBLY JOINT RESOLUTION NO. 8**—Relative to marine pollution.

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 Business and Professions**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 593

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

NEGRETE McLEOD, Chair

**ASSEMBLY BILL NO. 593**—An act to add Chapter 11.7 (commencing with Section 66970) to Part 40 of the Education Code, to amend Sections 11011 and 54221 of, and to add Part 11.5 (commencing with Section 15870) to Division 3 of Title 2 of, the Government Code, relating to state property, 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 Environmental Safety and Toxic Materials**

April 5, 2005

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

Assembly Bill No. 1168

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

RUSKIN, Chair

**ASSEMBLY BILL NO. 1168**—An act to add Section 116294 to 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 Environmental Safety and Toxic Materials**

April 5, 2005

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

Assembly Bill No. 362

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

RUSKIN, Chair

**ASSEMBLY BILL NO. 362**—An act to amend Section 13292 of the Water Code, relating to water quality control agencies.

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 Water, Parks and Wildlife**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1245

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

WOLK, Chair

**ASSEMBLY BILL NO. 1245**—An act to add Chapter 7.8 (commencing with Section 12929.49) to Part 6 of Division 6 of 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 Judiciary**

April 5, 2005

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

Assembly Bill No. 1130

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

JONES, Chair

**ASSEMBLY BILL NO. 1130**—An act to amend Section 4519.7 of the Welfare and Institutions Code, relating to developmental services.

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 Banking and Finance**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 1433

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

CALDERON, Chair

**ASSEMBLY BILL NO. 1433**—An act to amend Section 65580 of 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 Business and Professions**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 370

Assembly Bill No. 1163

Assembly Bill No. 665

Assembly Bill No. 1520

Assembly Bill No. 695

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

NEGRETE McLEOD, Chair

**ASSEMBLY BILL NO. 370**—An act to add Section 3137 to the Business and Professions Code, relating to optometry.

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. 665**—An act to amend Section 51032 of the Government Code, relating to massage.

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. 695**—An act to amend Section 1723 of, and to add Section 1724 to, the Civil Code, relating to retail sales.

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. 1163**—An act to amend Section 9875 of, to add Sections 9875.3 and 9875.4 to, and to repeal and add Section 9875.1 of, the Business and Professions Code, relating to motor vehicle replacement parts.

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. 1520**—An act to amend Section 21800 of the Vehicle Code, relating to vehicles.

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 Revenue and Taxation**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 343

With the recommendation: Do pass.

KLEHS, Chair

Above bill ordered to second reading.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 483

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

KLEHS, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 357

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

KLEHS, Chair

Above bill re-referred to the Committee on Veterans Affairs.

**Committee on Banking and Finance**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:  
Assembly Bill No. 843

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

CALDERON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:  
Assembly Bill No. 424

With amendments with the recommendation: Do pass as amended, and be re-referred to the Committee on Public Safety with the recommendation: To Consent Calendar.

CALDERON, Chair

Above bill ordered to second reading.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:  
Assembly Bill No. 434

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.

CALDERON, Chair

Above bill ordered to second reading.

**Committee on Jobs, Economic Development, and the Economy**

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 830

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

ARAMBULA, Chair

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

**Committee on Banking and Finance**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 535

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.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 339

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

CALDERON, Chair

Above bill re-referred to the Committee on Judiciary.

**Committee on Transportation**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 23

With amendments with the recommendation: Amend, be adopted as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolution ordered to second reading.

**Committee on Judiciary**

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 174

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.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 262

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

JONES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 118

Assembly Bill No. 429

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

JONES, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 220

Assembly Bill No. 1553

With the recommendation: Do pass.

JONES, Chair

Above bills ordered to second reading.

**Committee on Transportation**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 20

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolutions re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 489

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

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 56

Assembly Bill No. 107

Assembly Bill No. 383

Assembly Bill No. 694

Assembly Bill No. 697

Assembly Bill No. 785

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

OROPEZA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 70

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

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 160

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

OROPEZA, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 26

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

OROPEZA, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Joint Resolution No. 5

With the recommendation: Be adopted.

OROPEZA, Chair

Above resolution ordered to third reading.

#### **Committee on Utilities and Commerce**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 200

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.

LEVINE, Chair

Above bill ordered to second reading.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 993

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

LEVINE, Chair

Above bill re-referred to the Committee on Natural Resources.

#### **Committee on Transportation**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Senate Concurrent Resolution No. 5

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolution re-referred to the Committee on Appropriations.

#### **CONSIDERATION OF DAILY FILE**

#### **SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 304**—An act to add Section 19162.5 to the Health and Safety Code, relating to building standards.

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



**ASSEMBLY BILL NO. 180**—An act to amend Sections 6738 and 8729 of the Business and Professions Code, and to amend Sections 16101, 16956, and 16959 of the Corporations Code, relating to limited liability partnerships.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Banking and Finance.

**ASSEMBLY BILL NO. 466**—An act to add Section 5019.90 to the Public Resources Code, relating to parks and recreation.

Bill read second time; amendments proposed by the Committee on Water, Parks and Wildlife read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 315**—An act to add Section 17077.36 to the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 299**—An act to amend Section 11166 of the Penal Code, relating to mandatory child abuse reporting.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 219**—An act to amend Sections 14901 and 14910 of, and to add Section 14914 to, the Government Code, relating to state agencies.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 179**—An act to add Section 1569.889 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Aging and Long-Term Care.

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 6, 2005.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 5, 2005

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

<b>AB</b>	<b>RN</b>	<b>AB</b>	<b>RN</b>
36	0509745	721	0510491
75	0510566	826	0509899
76	0510267	877	0510574
78	0510618	927	0509691
179	0510455	985	0510529
180	0510384	1048	0510738
196	0509815	1059	0509125
219	0510357	1072	0509765
228	0510736	1130	0510348
304	0510460	1163	0510653
315	0510483	1168	0510536
362	0510655	1234	0510614
370	0510753	1245	0510355
397	0510647	1361	0509787
439	0509712	1433	0509875
466	0510358	1436	0510470
497	0509878	1520	0509570
593	0510686	1637	0510786
657	0510692		
665	0510128	<b>AJR</b>	<b>RN</b>
695	0510747	8	0510577
<b>Daily Total:</b>		<b>40</b>	
<b>Cumulative Total:</b>		<b>420</b>	