

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 7, 2005**

**FIFTIETH SESSION DAY**

**ONE HUNDRED TWENTY-THIRD 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  
Thursday, April 7, 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 Mountjoy 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—75:

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

**PRAYER**

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

*Lord, We rely on You for so many things that they sometimes escape our attention. But You have always been there to provide for us, to protect us and guide us. You have promised that we can do all things with You on our side. Give us Your wisdom, Lord, to make the right decisions today and the strength to stand strong no matter what life brings.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Yee, Assembly Member Dymally 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 Lieber, Nation, and Ridley-Thomas.*

*Because of illness: Assembly Member Gordon.*

*Due to travel delays: Assembly Member Umberg.*

**EXPLANATIONS OF ABSENCE**

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

April 6, 2005

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

Dear Speaker Núñez: I would like to be excused from Floor Session on April 7, 2005 due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Cory Jaspersen, at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member  
Twenty-second District

March 16, 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 Legislative Floor Session on Thursday, April 7, 2005 due to legislative business.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member  
Sixth District

(NOTE: For letter explaining the absence of Assembly Member Ridley-Thomas on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 6, 2005.)

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 7, 2005

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

Assembly Joint Resolution No. 13

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 7, 2005

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

Assembly Bill No. 52

Assembly Bill No. 841

Assembly Bill No. 74

Assembly Bill No. 856

Assembly Bill No. 240

Assembly Bill No. 899

Assembly Bill No. 305

Assembly Bill No. 939

Assembly Bill No. 308

Assembly Bill No. 977

Assembly Bill No. 371

Assembly Bill No. 1010

Assembly Bill No. 423

Assembly Bill No. 1033

Assembly Bill No. 424

Assembly Bill No. 1085

Assembly Bill No. 515

Assembly Bill No. 1122

Assembly Bill No. 535

Assembly Bill No. 1124

Assembly Bill No. 746

Assembly Bill No. 1127

Assembly Bill No. 795

Assembly Bill No. 1261

Assembly Bill No. 802

Assembly Bill No. 1298

Assembly Bill No. 837

Assembly Bill No. 1325

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 7, 2005

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

Assembly Bill No. 1332

Assembly Bill No. 1512

Assembly Bill No. 1346

Assembly Bill No. 1551

Assembly Bill No. 1360

Assembly Bill No. 1590

Assembly Bill No. 1383

Assembly Bill No. 1701

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 7, 2005

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

Assembly Concurrent Resolution No. 23

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly*

<i>Bill No.</i>	<i>Committee</i>
231	Pub. S.
256	P.E.,R. & S.S.
326	U. & C.
336	Pub. S.
369	E. & R.
494	Ed.
558	W.,P. & W.
570	Pub. S.
616	G.O.
629	Pub. S.
756	Ed.
772	Health
822	L. & E.
925	Ins.
1002	W.,P. & W.
1031	Trans.
1037	Rev. & Tax.
1172	L. & E.
1208	L. Gov. and Trans.
1285	Hum. S.
1307	Jud.
1366	Higher Ed.
1379	Hum. S.
1384	Trans.
1420	Ed.
1542	Pub. S.
1574	Jud. and H. & C.D.
1580	Rev. & Tax. and L. Gov.
1587	Agri. and Pub. S.
1597	Health
1620	G.O.
1646	Higher Ed.
1687	B. & F.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
46	Trans.
47	Trans.



**ASSEMBLY BILL NO. 18**—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.95, 195.96, and 195.97 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 32**—An act to amend Sections 42801 and 42823 of the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 43**—An act to amend Section 15342 of the Elections Code relating to elections.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 68**—An act to amend Section 2982 of, and to add Sections 2982.2 and 2982.10 to, the Civil Code, to add Section 6012.3 to the Revenue and Taxation Code, and to amend Sections 11709.2 and 11713.1 of, and to add Section 11713.16 to, the Vehicle Code, relating to consumers.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 111**—An act to amend Section 23399 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 124**—An act to amend Sections 19790, 19791, 19792, 19792.5, 19793, 19794, 19795, 19796, 19797, and 19798 of, and to amend the heading of Chapter 12 (commencing with Section 19790) of Part 2 of Division 5 of Title 2 of, the Government Code, relating to state civil service.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 190**—An act to add and repeal Article 13.51 (commencing with Section 18846) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 33**—An act to amend Sections 272 and 502.01 of the Penal Code, relating to crime.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 65**—An act to amend Section 14087.54 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 86**—An act to amend Section 11108 of the Penal Code, relating to firearms.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 241**—An act to amend Section 1107.5 of, and to add Sections 6020.5, 8020.5, 12550.5, 15678.10, 16915.5, and 17554.5 to, the Corporations Code, relating to business entities.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 279**—An act to amend Section 17002 of the Corporations Code, and to amend Section 16430 of the Government Code, relating to limited liability companies, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 641**—An act to amend Section 11226 of the Business and Professions Code, relating to real estate.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 831**—An act to amend Section 49436 of, and to repeal Section 32228.6 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 268**—An act to amend Sections 802.1, 802.5, 803, 803.5, 803.6, and 810 of the Business and Professions Code, relating to healing arts.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 367**—An act to amend Section 2083 of the Business and Professions Code, relating to physicians and surgeons.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 1066**—An act to amend Sections 19130 and 19131 of the Government Code, relating to public employment.

Bill read second time; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 271**—An act to add Section 19060 to the Government Code, relating to state employees.

Bill read second time; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 796**—An act to amend Section 18339 of the Education Code, relating to library districts.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1438**—An act to amend Section 54953 of the Government Code, relating to local agencies.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 981**—An act to add Section 6535 to the Government Code, relating to joint powers authority.

Bill read second time, and ordered to Consent Calendar.

#### **SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 121**—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 122**—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.



**SENATE BILL NO. 123**—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

Bill read second time, and ordered to Consent Calendar.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, April 7, 2005

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

Assembly Bill No. 65

Assembly Bill No. 557

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 7, 2005

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

Assembly Bill No. 68

Assembly Bill No. 111

Assembly Bill No. 124

Assembly Bill No. 1438

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 286 (Matthews)**—An act to add Section 21100.7 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—71**

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

**NOES—1**

De La Torre

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—71**

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

**NOES—1**

De La Torre

Bill ordered transmitted to the Senate.

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

Bill read third time, and passed by the following vote:

**AYES—71**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

Bill read third time, and passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 343 (Huff)**—An act to add Section 7284.5 to the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

**AYES—50**

Aghazarian	Garcia	La Suer	Parra
Baca	Hancock	Leno	Plescia
Bermúdez	Harman	Leslie	Runner
Blakeslee	Haynes	Levine	Salinas
Bogh	Horton, Jerome	Liu	Spitzer
Chavez	Horton, Shirley	Matthews	Strickland
Chu	Houston	Maze	Tran
Cogdill	Huff	McCarthy	Vargas
Daucher	Jones	Montañez	Villines
De La Torre	Karnette	Mountjoy	Walters
DeVore	Keene	Nakanishi	Wyland
Emmerson	Klehs	Negrete McLeod	
Evans	La Malfa	Niello	

**NOES—18**

Bass	Cohn	Koretz	Saldaña
Benoit	Coto	Laird	Wolk
Berg	Dymally	Nava	Yee
Calderon	Frommer	Pavley	
Canciamilla	Goldberg	Ruskin	

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 220 (Committee on Public Safety)**—An act to amend Sections 4801, 5075.5, and 13823.9 of the Penal Code, to amend Section 3030 of the Family Code, and to amend Section 340.3 of the Code of Civil Procedure, relating to domestic violence.

Bill read third time, presented by Assembly Member Leno, and passed by the following vote:

**AYES—58**

Aghazarian	De La Torre	Karnette	Parra
Arambula	DeVore	Klehs	Pavley
Baca	Dymally	Koretz	Ruskin
Bass	Emmerson	Laird	Saldaña
Berg	Evans	Leno	Salinas
Bermúdez	Frommer	Levine	Spitzer
Bogh	Garcia	Liu	Strickland
Calderon	Goldberg	Matthews	Torrico
Canciamilla	Hancock	Montañez	Tran
Chan	Harman	Mullin	Vargas
Chavez	Horton, Jerome	Nakanishi	Wolk
Chu	Horton, Shirley	Nava	Yee
Cohn	Houston	Negrete McLeod	Mr. Speaker
Coto	Huff	Niello	
Daucher	Jones	Oropeza	

**NOES—12**

Blakeslee	La Suer	McCarthy	Villines
Haynes	Leslie	Plescia	Walters
Keene	Maze	Runner	Wyland

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 220: Assembly Members McCarthy and Runner from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 22 (Dymally)**—Relative to the Charles R. Drew University of Medicine and Science and the Martin Luther King General Hospital.

Resolution read, and adopted by the following vote:

**AYES—46**

Arambula	De La Torre	Laird	Pavley
Baca	Dymally	Leno	Ruskin
Bass	Evans	Leslie	Saldaña
Berg	Frommer	Levine	Salinas
Bermúdez	Goldberg	Liu	Torrico
Calderon	Hancock	Matthews	Tran
Chan	Horton, Jerome	Montañez	Vargas
Chavez	Horton, Shirley	Mullin	Wolk
Chu	Jones	Nava	Yee
Cohn	Karnette	Negrete McLeod	Mr. Speaker
Coto	Klehs	Oropeza	
Daucher	Koretz	Parra	

**NOES—24**

Aghazarian	Emmerson	Keene	Plescia
Benoit	Garcia	La Malfa	Spitzer
Blakeslee	Harman	Maze	Strickland
Bogh	Haynes	McCarthy	Villines
Cogdill	Houston	Nakanishi	Walters
DeVore	Huff	Niello	Wyland

Resolution ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 15 (Jerome Horton)**—An act to amend Section 51221.4 of the Education Code, relating to curriculum.

Bill read third time.

#### **Motion to Amend**

Assembly Member Jerome Horton moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

#### **THIRD READING OF SENATE BILLS**

**SENATE CONCURRENT RESOLUTION NO. 23 (Scott)**—Relative to Lyme Disease Awareness Week.

Resolution read, and presented by Assembly Member Ruskin.

#### **Members Made Coauthors of Senate Concurrent Resolution No. 23**

Assembly Member Ruskin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 23.

#### **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, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Levine, Liu, Matthews, Maze, McCarthy, Montañez, Mullin, Nakanishi, Nava, Niello, Núñez, Oropeza, Parra, Plescia, Runner, Saldaña, Salinas, Spitzer, Torrico, Tran, Vargas, Villines, Wolk, Wyland, and Yee.

#### **Request for Unanimous Consent**

Assembly Member Ruskin was granted unanimous consent to take up Senate Concurrent Resolution No. 23, as amended, without reference to print or file.

#### **Consideration of Senate Concurrent Resolution No. 23, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 23**—Relative to Lyme Disease Awareness Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

#### **CONSIDERATION OF CONSENT CALENDAR**

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

#### **Consent Calendar—Assembly Bills**

**ASSEMBLY BILL NO. 254 (Nakanishi)**—An act to amend Section 1797.196 of the Health and Safety Code, relating to emergency medical services.

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

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 519 (Leno)**—An act to amend Sections 213.5 and 366.26 of the Welfare and Institutions Code, relating to children.

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

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1342 (Committee on Environmental Safety and Toxic Materials)**—An act to amend Section 25360.2 of the Health and Safety Code relating to hazardous substance releases.

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

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 543 (Houston)**—An act to add and repeal Section 4019.1 of the Penal Code, relating to the Contra Costa County jail.

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

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 627 (Leslie)**—An act to amend Section 5009 of the Penal Code, relating to parolees.

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

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY CONCURRENT RESOLUTION NO. 17 (Karnette)**—Relative to language education.

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

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**HOUSE RESOLUTION NO. 8 (Wolk)**—Relative to National Library Week.

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

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1318 (Evans)**—An act to amend Section 24011 of the Government Code, relating to county officers.

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

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1443 (Hancock)**—An act to amend Sections 26908.5 and 36525 of the Government Code, relating to local agency auditors.

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

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**Consent Calendar—Senate Resolution**

**SENATE CONCURRENT RESOLUTION NO. 13 (Battin)**—Relative to Child Abuse Prevention Month.

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

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

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

**AYES—71**

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

**NOES—None****ADJOURN IN MEMORY**

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ned Baughman, of Los Angeles and John T. McTernan, of Santa Monica.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gino Marconi, of Mt. Shasta.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Mullin, Leno and Yee were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Boyd Stephens, of Daly City.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

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 Josie Bain, of Los Angeles.

Assembly Member Klehs was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lenore Agnes Holle, of San Leandro.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Donald Falsarella, of Millbrae.

Assembly Member Oropeza was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the Honorable G. Thomas Thompson, of Long Beach.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dale Reed, of Lancaster.

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 Susan Earl Collins, of Davis; Patricia Flaherty Raycraft, of Dixon; Dorothy Wellman, of Fairfield; Tim Crow, Fred Dodson, David Gorohoff, and Linda Marie Murphy, of Vacaville; Delbert Davis, of West Sacramento; Elmer Alford Amen, Sr., Susan F. Basha, Larry John Hein, and Frederick Emory Polete, Jr., of Woodland.

#### VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Assembly Bill No. 286 and Urgency:** Bermúdez, Blakeslee, Chavez, Chu, Jerome Horton, Shirley Horton, Houston, Karnette, La Malfa, Oropeza, Plescia, Ruskin, Spitzer, Strickland, and Wyland—Aye.

**Assembly Bill No. 463:** Chavez, Hancock, Mountjoy, Oropeza, Ruskin, and Spitzer—Aye.

**Assembly Bill No. 299:** Mountjoy, Oropeza, and Spitzer—Aye.

**Assembly Bill No. 343:** Blakeslee, Hancock, Jerome Horton, Jones, and Montañez—Aye; Benoit—No.

**Assembly Bill No. 220:** Bermúdez—Aye; Blakeslee—No.

**Assembly Concurrent Resolution No. 22:** Frommer—Aye; Blakeslee—No.

**Consent Calendar:** Oropeza—Aye.

#### MOTION TO ADJOURN

At 10:31 a.m., Assembly Member Laird moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

#### REMARKS ON CONDITION OF THE FILE

Assembly Members Bogh, Ruskin, and Mullin arose to speak on the condition of the file.

#### FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Laird that the Assembly adjourn.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:35 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

#### RESOLUTIONS

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 49—Frommer.** Relative to Caltrans Workers Memorial Day.

**ASSEMBLY CONCURRENT RESOLUTION NO. 50—Tran and DeVore.** Relative to Pope John Paul II.

**ASSEMBLY JOINT RESOLUTION NO. 19—Dymally (Coauthor: Negrete McLeod).** Relative to reauthorization of the federal Voting Rights Act of 1965.



**AUTHOR'S AMENDMENTS**  
**Committee on Rules**

April 7, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:  
Assembly Concurrent Resolution No. 40

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

MONTAÑEZ, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 40**—Relative to the 85th Anniversary of the League of Women Voters.

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 Utilities and Commerce**

April 7, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:  
Assembly Bill No. 326

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

LEVINE, Chair

**ASSEMBLY BILL NO. 326**—An act to amend Section 270 of the Public Utilities Code, relating to telecommunications.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:  
Assembly Bill No. 822  
Assembly Bill No. 1172

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

KORETZ, Chair

**ASSEMBLY BILL NO. 822**—An act to amend Section 212 of the Labor Code, relating to employment.

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. 1172**—An act relating to public contracts.

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 Insurance**

April 7, 2005

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

Assembly Bill No. 544

Assembly Bill No. 881

Assembly Bill No. 925

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

VARGAS, Chair

**ASSEMBLY BILL NO. 544**—An act to amend Section 1704 of the Insurance Code, relating to insurance solicitors.

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. 881**—An act to amend, repeal, and add Section 7125 of the Business and Professions Code, and to add and repeal Section 11665 of the Insurance Code, relating to workers' compensation.

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. 925**—An act relating to insurer investments.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 646

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

LENO, Chair

**ASSEMBLY BILL NO. 646**—An act to amend Section 273a of the Penal Code, relating to crimes.

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 7, 2005

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

Assembly Bill No. 1031

Assembly Bill No. 1384

Assembly Bill No. 1407

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

OROPEZA, Chair

**ASSEMBLY BILL NO. 1031**—An act to amend Section 34501.12 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. 1384**—An act relating to transportation.

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. 1407**—An act to add Division 29 (commencing with Section 38000) to the Public Resources Code, relating to the environment.

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 7, 2005

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

Assembly Bill No. 194

Assembly Bill No. 1208

Assembly Bill No. 818

Assembly Bill No. 1702

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

SALINAS, Chair

**ASSEMBLY BILL NO. 194**—An act to amend Section 54960.1 of the Government Code, relating to open meetings.

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. 818**—An act to add Section 56743.5 to the Government Code, and to amend Section 99 of the Revenue and Taxation 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.

**ASSEMBLY BILL NO. 1208**—An act to amend Section 1708 of the Civil Code, relating to civil law.

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. 1702**—An act to amend Section 65583 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 Revenue and Taxation**

April 7, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1424

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

KLEHS, Chair

**ASSEMBLY BILL NO. 1424**—An act to amend Section 1775.9 of the Insurance Code, and Sections 12491, 12493, 12494, 12495, and 12636.5 of the Revenue and Taxation Code, relating to taxation.

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**

April 7, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:  
Assembly Bill No. 1412

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

EVANS, Chair

**ASSEMBLY BILL NO. 1412**—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, and 16501.1 of the Welfare and Institutions Code, relating to dependent children.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:  
Assembly Bill No. 1687

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

CALDERON, Chair

**ASSEMBLY BILL NO. 1687**—An act relating to financial institutions.

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 7, 2005

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

Assembly Bill No. 476

Assembly Bill No. 756

Assembly Bill No. 482

Assembly Bill No. 1213

Assembly Bill No. 494

Assembly Bill No. 1420

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

GOLDBERG, Chair

**ASSEMBLY BILL NO. 476**—An act to amend Sections 13040 and 13041 of the Education Code, relating to California Native Americans, 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.

**ASSEMBLY BILL NO. 482**—An act to amend Section 60640 of the Education Code, relating to pupil assessment.

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. 494**—An act relating to school 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.

**ASSEMBLY BILL NO. 756**—An act relating to public schools.

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. 1213**—An act to amend Section 60900 of the Education Code, relating to pupil testing.

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. 1420**—An act to amend Section 42238 of the Education Code, relating to education finance.

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 7, 2005

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

Assembly Bill No. 278

Assembly Bill No. 1574

Assembly Bill No. 750

Assembly Bill No. 1638

Assembly Bill No. 1528

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

JONES, Chair

**ASSEMBLY BILL NO. 278**—An act to amend Sections 17538.5 and 22780 of the Business and Professions Code, relating to commercial mail receiving 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.

**ASSEMBLY BILL NO. 750**—An act to amend Section 77201.1 of the Government Code, relating to trial court funding.

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. 1528**—An act to amend Section 47 of the Civil Code, relating to privileged communications.

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. 1574**—An act relating to housing discrimination.

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. 1638**—An act to amend Section 366.26 of the Welfare and Institutions Code, relating to adoption.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:  
Assembly Bill No. 1388

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

NEGRETE McLEOD, Chair

**ASSEMBLY BILL NO. 1388**—An act to add Section 14666.9 to the Government Code, relating to state property.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:  
Assembly Bill No. 775

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

NEGRETE McLEOD, Chair

**ASSEMBLY BILL NO. 775**—An act to add Section 36 to the Business and Professions Code, to add Part 8 (commencing with Section 296) to Division 2 of the Family Code, to add Sections 27 and 68564.5 to the Government Code, to add Section 29 to the Health and Safety Code, to add Section 49 to the Insurance Code, to add Section 30 to the Labor Code, and to add Section 26.5 to the Welfare and Institutions Code, relating to interpreters.

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 Governmental Organization**

April 7, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Assembly Bill No. 616  
Assembly Bill No. 1620

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

JEROME HORTON, Chair

**ASSEMBLY BILL NO. 616**—An act to amend Section 7598 of the Government Code, relating to public buildings.

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. 1620**—An act to amend Section 19951 of the Business and Professions Code, relating to gambling.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Assembly Bill No. 328  
Assembly Bill No. 558  
Assembly Bill No. 1002

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

WOLK, Chair

**ASSEMBLY BILL NO. 328**—An act to add Section 5017 to the Public Resources Code, relating to state parks, 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.

**ASSEMBLY BILL NO. 558**—An act to amend Section 29550 of the Government Code, relating to booking fees.

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. 1002**—An act to amend Section 1801 of the Fish and Game Code, relating to conservation.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 378  
Assembly Bill No. 619

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

JONES, Chair

**ASSEMBLY BILL NO. 378**—An act to amend Section 338 of the Code of Civil Procedure, relating to protected classes.

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. 619**—An act to amend Sections 1365.1 and 1367.1 of the Civil Code, relating to common interest developments.

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 Utilities and Commerce**

April 7, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:  
 Assembly Bill No. 1348

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

LEVINE, Chair

**ASSEMBLY BILL NO. 1348**—An act to add Section 761 to the Public Utilities Code, relating to electricity.

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 7, 2005

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

Assembly Bill No. 71  
 Assembly Bill No. 225  
 Assembly Bill No. 772

Assembly Bill No. 811  
 Assembly Bill No. 1382  
 Assembly Bill No. 1597

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

CHAN, Chair

**ASSEMBLY BILL NO. 71**—An act to add Article 7 (commencing with Section 111657) to Chapter 6 of Part 5 of Division 104 of the Health and Safety 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. 225**—An act to amend Section 650 of the Business and Professions Code, relating to healing arts.

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. 772**—An act 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. 811**—An act to add Division 2.75 (commencing with Section 1825) to the Health and Safety Code, and to add Division 8.75 (commencing with Section 9800) to the Welfare and Institutions Code, relating to health and human 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.

**ASSEMBLY BILL NO. 1382**—An act to add Sections 111723 and 111785.3 to the Health and Safety Code, relating to contact lenses.

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. 1597**—An act to amend Section 11364.7 of the Health and Safety Code, relating to drug paraphernalia.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:  
Assembly Bill No. 1061

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

MATTHEWS, Chair

**ASSEMBLY BILL NO. 1061**—An act to amend Section 54444 of the Food and Agricultural Code, relating to Agricultural Cooperative Bargaining Associations.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:  
Assembly Bill No. 1587

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

MATTHEWS, Chair

**ASSEMBLY BILL NO. 1587**—An act to amend Section 107 of the Penal Code, relating to crimes.

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 7, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:  
Assembly Bill No. 1730

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

MATTHEWS, Chair

**ASSEMBLY BILL NO. 1730**—An act to repeal Sections 12811.5 and 12837 of the Food and Agricultural Code, relating to pesticide.

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 Revenue and Taxation**

April 7, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1037

Assembly Bill No. 1580

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

KLEHS, Chair

**ASSEMBLY BILL NO. 1037**—An act to amend Section 24306 of the Revenue and Taxation Code, relating to taxation.

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. 1580**—An act relating to taxation.

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 7, 2005

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

Assembly Bill No. 460

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

MATTHEWS, Chair

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

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 Revenue and Taxation**

April 7, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 838

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

KLEHS, Chair

**ASSEMBLY BILL NO. 838**—An act to add and repeal Sections 17052.11 and 23611 of 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.

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

April 7, 2005

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

- Assembly Bill No. 1366
- Assembly Bill No. 1646

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

LIU, Chair

**ASSEMBLY BILL NO. 1366**—An act to amend Section 84040 of the Education Code, relating to community colleges.

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. 1646**—An act relating to community colleges.

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 Labor and Employment**

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 51  | Assembly Bill No. 678  |
| Assembly Bill No. 57  | Assembly Bill No. 710  |
| Assembly Bill No. 169 | Assembly Bill No. 805  |
| Assembly Bill No. 186 | Assembly Bill No. 815  |
| Assembly Bill No. 414 | Assembly Bill No. 1339 |
| Assembly Bill No. 604 | Assembly Bill No. 1669 |

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

KORETZ, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

- Assembly Concurrent Resolution No. 43

With the recommendation: Be adopted.

KORETZ, Chair

Above resolution ordered to third reading.

**Committee on Governmental Organization**

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

- Assembly Bill No. 780

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

JEROME HORTON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 260

Assembly Bill No. 834

Assembly Bill No. 273

Assembly Bill No. 1518

Assembly Bill No. 407

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

JEROME HORTON, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 480

Assembly Bill No. 1355

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 bills be placed on the Consent Calendar.

JEROME HORTON, Chair

Above bills ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 428

With the recommendation: Do pass.

JEROME HORTON, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 277

With the recommendation: Do pass, and be re-referred to the Committee on Public Employees, Retirement and Social Security with recommendation: To Consent Calendar.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Public Employees, Retirement and Social Security.

#### **Committee on Rules**

Date of Hearing: April 7, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 16

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: April 7, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 12

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: April 7, 2005

Mr. Speaker: Your Committee on Rules reports:  
Assembly Concurrent Resolution No. 32  
Assembly Concurrent Resolution No. 39  
With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

Date of Hearing: April 7, 2005

Mr. Speaker: Your Committee on Rules reports:  
Senate Concurrent Resolution No. 14  
With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:  
Assembly Bill No. 405  
With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Education.

RUSKIN, Chair

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:  
Assembly Bill No. 754  
With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Appropriations reports:  
Assembly Bill No. 359  
With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Public Safety reports:  
Assembly Bill No. 376  
Assembly Bill No. 478  
With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills ordered to second reading.

**Committee on Transportation**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 84

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

OROPEZA, Chair

Above bill ordered to second reading.

**Committee on Education**

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1097

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

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 322

Assembly Bill No. 384

Assembly Bill No. 420

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

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 13

Assembly Bill No. 264

Assembly Bill No. 388

Assembly Bill No. 390

Assembly Bill No. 491

Assembly Bill No. 1303

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

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 656

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.

GOLDBERG, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1400

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, April 7, 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. 27

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

Senate Chamber, April 7, 2005

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

Assembly Concurrent Resolution No. 19

Assembly Concurrent Resolution No. 25

Assembly Concurrent Resolution No. 31

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

Above resolutions ordered enrolled.

Senate Chamber, April 7, 2005

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

Senate Bill No. 424

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

Senate Chamber, April 7, 2005

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

Senate Bill No. 170

Senate Bill No. 405

Senate Bill No. 416

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

Senate Chamber, April 7, 2005

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

Senate Concurrent Resolution No. 1

Senate Concurrent Resolution No. 33

Senate Concurrent Resolution No. 36

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

Senate Chamber, April 7, 2005

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

Senate Joint Resolution No. 7

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

**FIRST READING OF SENATE BILLS**

The following bills were read the first time:

**SENATE BILL NO. 424**—An act to add Section 6720 to the Government Code, relating to Armenia.

**SENATE BILL NO. 170**—An act to amend Section 1 of Chapter 260 of the Statutes of 2004, relating to school employees.

**SENATE BILL NO. 405**—An act to add Section 18343 to the Education Code, relating to the Banning Unified School District.

**SENATE BILL NO. 416**—An act to amend Section 904.6 of the Penal Code, relating to grand juries.

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 1**—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session.

**SENATE CONCURRENT RESOLUTION NO. 33**—Relative to California Fitness Month.

**SENATE CONCURRENT RESOLUTION NO. 36**—Relative to the Alzheimer's Association.

**SENATE JOINT RESOLUTION NO. 7**—Relative to Equal Pay Day.

#### INTRODUCTION OF GUESTS

Assembly Member Liu, of the 44th Assembly District, introduced former Assembly Member Hannah-Beth Jackson.

Assembly Member La Malfa, of the 2nd Assembly District, introduced visitors from the Yuba-Sutter Disposal who are in the Capitol for their legislative day.

Assembly Member Yee, of the 12th Assembly District, on behalf of the Assembly, introduced Phi Theta Kappa honor society members that were selected from community colleges throughout the state to compete for the national All America Academic Team.

#### ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Laird, the Assembly adjourned until noon, Monday, April 11, 2005, out of respect to the memory of Ned Baughman and John T. McTernan, on motion of Assembly Member Goldberg; out of respect to the memory of Gino Marconi, on motion of Assembly Member La Malfa; out of respect to the memory of Dr. Boyd Stephens, on motion of Assembly Members Mullin, Leno, and Yee; out of respect to the memory of Josie Bain, on motion of Assembly Member Karnette; out of respect to the memory of Lenore Agnes Holle, on motion of Assembly Member Klehs; out of respect to the memory of John Donald Falsarella, on motion of Assembly Member Mullin; out of respect to the memory of the Honorable G. Thomas Thompson, on motion of Assembly Member Oropeza; out of respect to the memory of Dale Reed, on motion of Assembly Member Runner; and out of respect to the memory of Susan Earl Collins, Patricia Flaherty Raycraft, Dorothy Wellman, Tim Crow, Fred Dodson, David Gorohoff, Linda Marie Murphy, Delbert Davis, Elmer Alford Amen, Sr., Susan F. Basha, Larry John Hein, and Frederick Emory Polete, Jr., on motion of Assembly Member Wolk.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk



## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 7, 2005

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

AB	RN	AB	RN
15	0510492	1002	0510646
71	0511084	1031	0510291
194	0510759	1037	0509817
225	0510969	1061	0510964
268	0510617	1066	0510905
271	0510452	1172	0509095
278	0510448	1208	0510164
326	0509874	1213	0510661
328	0510799	1348	0510020
367	0510386	1366	0509987
378	0510968	1382	0510488
460	0510918	1384	0510273
476	0510656	1388	0509785
482	0509958	1407	0509837
494	0510598	1412	0510703
544	0510988	1420	0509961
558	0509077	1424	0510105
616	0509922	1528	0510765
619	0510979	1574	0510027
646	0509536	1580	0510151
750	0510218	1587	0510150
756	0510320	1597	0510423
772	0510565	1620	0510092
775	0510804	1638	0510915
783	0509573	1646	0509629
811	0511018	1687	0510285
818	0510195	1702	0510742
822	0510465	1730	0510957
838	0510430		
881	0510840	<b>ACR</b>	<b>RN</b>
925	0510012	40	0510712
<b>Daily Total:</b>		<b>60</b>	
<b>Cumulative Total:</b>		<b>517</b>	

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