# CALIFORNIA LEGISLATURE 2005–06 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

# Tuesday, April 12, 2005

# FIFTY-SECOND SESSION DAY ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY AT SACRAMENTO, CALIFORNIA



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

# PROCEEDINGS OF THE ASSEMBLY

# IN ASSEMBLY

# Assembly Chamber, Sacramento Tuesday, April 12, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding. Chief Clerk E. Dotson Wilson at the Desk. Assistant Clerk Brian Ebbert reading.

# ROLL CALL

The following were placed upon the morning roll call—79:

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

Quorum present.

# At 1:49 p.m., Hon. Nicole Parra, 30th 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 Member was granted leave of absence for the day:

Because of illness: Assembly Member Gordon.

April 12, 2005

# COMMUNICATIONS

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

April 12, 2005

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Lynn Daucher to replace Assemblymember Bill Emmerson on the Assembly Local Government Committee for the Wednesday, April 13 hearing only.

Sincerely,

FABIAN NUÑEZ Speaker of the Assembly

## REPORTS

The following reports were presented by the Chief Clerk:

# Effects of Outdoor Education Programs for Children in California (Pursuant to Assembly Bill 1330, Chapter 663, Statutes of 2003)

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated February 17, 2005, referred by the Speaker to the Committee on Education.

## Annual Report on the Statewide Automated Welfare System (Pursuant to Assembly Bill 67, Chapter 606, Statutes of 1997)

Above transmitted report, together with letter of transmittal from Bob Austin, Interim Director, Health and Human Services Agency, dated March 17, 2005, referred by the Speaker to the Committee on Human Services.

# Cost and Benefits of Utilizing the Annual Guardianship Status Report (Pursuant to Probate Code Section 1513.2)

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated April 8, 2005, referred by the Speaker to the Committee on Judiciary.

## Commission on State Mandates Approved Mandate Claims Report January 1, 2005 through March 31, 2005 (Pursuant to Government Code Section 17600)

Above transmitted report, together with letter of transmittal from Paula Higashi, Executive Director, Commission on State Mandates, dated April 8, 2005, referred by the Speaker to the Committee on Budget.

#### CalWORKS and Alternative Payment Child Care Programs Error Rate Study Report (Pursuant to Senate Bill 1104, Chapter 229, Statutes of 2004)

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated April 11, 2005, referred by the Speaker to the Committee on Human Services.

# SPECIAL COMMITTEE MEETINGS

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

Banking and Finance, on Tuesday, April 26, 2005, at 2 p.m., in Room 127;

Housing and Community Development, on Wednesday, May 4, 2005, at 9 a.m., in Room 126.

# ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 12, 2005

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

Assembly Bill No. 84
Assembly Bill No. 231
Assembly Bill No. 255
Assembly Bill No. 336
Assembly Bill No. 376
Assembly Bill No. 405
Assembly Bill No. 459
Assembly Bill No. 478
Assembly Bill No. 570
Assembly Bill No. 617

Assembly Bill No. 690 Assembly Bill No. 754 Assembly Bill No. 874 Assembly Bill No. 879 Assembly Bill No. 904 Assembly Bill No. 1500 Assembly Bill No. 1542 Assembly Bill No. 1542

Assembly Bill No. 629

And reports the same correctly engrossed.

Above bills re-referred to committee.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, April 12, 2005 Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 359 Assembly Bill No. 1400

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 12, 2005 Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Concurrent Resolution No. 21 And reports the same correctly engrossed. E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 12, 2005 Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 8 And reports the same correctly engrossed. E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 10 Assembly Bill No. 648 Assembly Bill No. 11 Assembly Bill No. 692 Assembly Bill No. 189 Assembly Bill No. 748 Assembly Bill No. 256 Assembly Bill No. 788 Assembly Bill No. 339 Assembly Bill No. 798 Assembly Bill No. 349 Assembly Bill No. 804 Assembly Bill No. 361 Assembly Bill No. 369 Assembly Bill No. 885 Assembly Bill No. 893 Assembly Bill No. 411 Assembly Bill No. 901 Assembly Bill No. 430 Assembly Bill No. 930 Assembly Bill No. 455 Assembly Bill No. 963 Assembly Bill No. 485 Assembly Bill No. 979 Assembly Bill No. 520 Assembly Bill No. 995 Assembly Bill No. 603 Assembly Bill No. 1027

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 12, 2005

Assembly Bill No. 1315 Assembly Bill No. 1329 Assembly Bill No. 1360 Assembly Bill No. 1367 Assembly Bill No. 1367 Assembly Bill No. 1379 Assembly Bill No. 1480 Assembly Bill No. 1460 Assembly Bill No. 1604 Assembly Bill No. 1625 Assembly Bill No. 1670 Assembly Bill No. 1673

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

Assembly Bill No. 1057
Assembly Bill No. 1067
Assembly Bill No. 1073
Assembly Bill No. 1098
Assembly Bill No. 1157
Assembly Bill No. 1165
Assembly Bill No. 1167
Assembly Bill No. 1196
Assembly Bill No. 1223
Assembly Bill No. 1236
Assembly Bill No. 1244
Assembly Bill No. 1285
Assembly Bill No. 1292
Assembly Bill No. 1307

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 1741

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 18—Nation.** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 8 and 9 of Article II thereof, relating to initiatives and referenda.

### RESOLUTIONS

The following resolution was offered: HOUSE RESOLUTION NO. 10—La Malfa. Relative to Denim Day California.

# **AUTHOR'S AMENDMENTS**

# Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

April 12, 2005

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 766

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

CHAVEZ, Chair

**ASSEMBLY BILL NO. 766**—An act to add Chapter 33 (commencing with Section 22948) to Division 8 of the Business and Professions Code, relating to the Internet.

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 12, 2005

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

Assembly Bill No. 598 Assembly Bill No. 651

Assembly Bill No. 1418

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

CHAN, Chair

**ASSEMBLY BILL NO. 598**—An act to add Section 511.4 to the Business and Professions Code, to amend Sections 1367 and 1375.7 of the Health and Safety Code, and to amend Sections 10133.5 and 10133.65 of the Insurance Code, relating to health care.

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. 651**—An act to amend Sections 14132.27 and 14132.100 of the Welfare and Institutions Code, relating to Medi-Cal.

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. 1418**—An act to add Section 1367.91 to the Health and Safety Code, and to add Section 10123.91 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.

# **AUTHOR'S AMENDMENTS**

# Committee on Public Employees, Retirement and Social Security

April 12, 2005

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

Assembly Bill No. 587

Assembly Bill No. 1643

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

TORRICO, Chair

ASSEMBLY BILL NO. 587—An act relating to Medicare.

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. 1643**—An act to amend Section 3523.5 of the Government Code, relating to state employment relations.

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 Elections and Redistricting

April 12, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports: Assembly Bill No. 738 Assembly Bill No. 867

Assembly Bill No. 1636

Assembly Bill No. 738 Assembly Bill No. 739

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

UMBERG, Chair

**ASSEMBLY BILL NO. 738**—An act to add Section 101.5 to the Elections Code, relating to voting.

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. 739**—An act to amend Section 85310 of the Government Code, relating to political 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. 867**—An act to add Division 4.5 (commencing with Section 4500) to the Elections Code, relating to voting.

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. 1636—An act relating to voting 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 Education

April 12, 2005

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

Assembly Bill No. 110 Assembly Bill No. 1032 Assembly Bill No. 1032

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

GOLDBERG, Chair

## ASSEMBLY BILL NO. 110—An act relating to public education.

**ASSEMBLY BILL NO. 1032**—An act to amend Section 8203 of the Education Code, relating to child care.

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. 1253**—An act to amend, repeal, and add Section 51225.3 of the Education Code, relating to public 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. 1685**—An act to amend Section 32255 of, and to repeal and add Section 32255.6 of, the Education Code, relating to agricultural education programs.

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 12, 2005

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

Assembly Bill No. 1060

Assembly Bill No. 1657

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

LENO, Chair

ASSEMBLY BILL NO. 1060—An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 11108, 11108.3, 12001, 12021, 12021.3, 12026.2, 12028.5, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12086, 12131, 12132, and 12305 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, to repeal Section 12084 of, and to repeal and add Section 12071 of, the Penal Code, and to amend Section 26 of Chapter 23 of the Statutes of 1994, relating to firearms.

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

**ASSEMBLY BILL NO. 1657**—An act to add and repeal Section 13969.7 of the Government Code and to amend Section 1464 of, and to add Sections 11166.6 and 11166.7 to, the Penal Code, relating to child victims.

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 Elections and Redistricting

April 12, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports: Assembly Bill No. 187

Assembly Bill No. 938

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

UMBERG, Chair

**ASSEMBLY BILL NO. 187**—An act to amend Section 3311 of, and to add Section 3307.5 to, the Elections Code, relating to overseas voters.

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. 938**—An act to add Section 84204.5 to the Government Code, relating to the Political Reform Act of 1974.

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 12, 2005

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

Assembly Bill No. 1065

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

MATTHEWS, Chair

**ASSEMBLY BILL NO. 1065**—An act to add Sections 19217, 19218, and 19316.5 to the Food and Agricultural Code, relating to kitchen grease.

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 12, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports: Assembly Bill No. 661

Assembly Bill No. 911

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

KLEHS, Chair

**ASSEMBLY BILL NO. 661**—An act to amend Section 17010 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. 911**—An act to amend Sections 441, 451, and 452 of, and to add Sections 7056.4, 17039.3, and 23036.3 to, 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 Labor and Employment

April 12, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports: Assembly Bill No. 48

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

KORETZ, Chair

ASSEMBLY BILL NO. 48—An act to add Section 1182.12 to 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.

# AUTHOR'S AMENDMENTS Committee on Governmental Organization

April 12, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 417

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

JEROME HORTON, Chair

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

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 12, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports: Assembly Bill No. 581

Assembly Bill No. 1626

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

KORETZ, Chair

**ASSEMBLY BILL NO. 581**—An act to amend Section 1964 of the Labor Code, relating to firefighters.

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. 1626**—An act to amend Section 1198.5 of the Labor Code, relating to personnel files.

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 12, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports: Assembly Bill No. 1179

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

EVANS, Chair

**ASSEMBLY BILL NO. 1179**—An act to add Section 1507.25 to the Health and Safety Code, relating to community care facilities.

# AUTHOR'S AMENDMENTS Committee on Local Government

April 12, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports: Assembly Bill No. 27

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

SALINAS, Chair

**ASSEMBLY BILL NO. 27**—An act to amend Sections 15202 and 30053 of, and to add Section 68502.6 to, the Government Code, and to amend Section 1037 of the Penal Code, relating to trial costs.

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 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports: Assembly Bill No. 184

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

OROPEZA, Chair

# ASSEMBLY BILL NO. 184—An act relating to air pollution.

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

# AUTHOR'S AMENDMENTS Committee on Transportation

April 12, 2005

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

Assembly Bill No. 267

Assembly Bill No. 556

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

OROPEZA, Chair

**ASSEMBLY BILL NO. 267**—An act to amend Section 14529.17 of the Government Code, 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. 556**—An act to add Sections 21669.5 and 21669.7 to the Public Utilities Code, relating to aeronautics.

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.

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# AUTHOR'S AMENDMENTS Committee on Revenue and Taxation

April 12, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports: Assembly Bill No. 377

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

KLEHS, Chair

**ASSEMBLY BILL NO. 377**—An act to amend Section 6357.1 of the Revenue and Taxation Code, relating to tax.

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 Natural Resources

April 12, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 771 Assembly Bill No. 1103

Assembly Bill No. 1464

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

HANCOCK, Chair

ASSEMBLY BILL NO. 771—An act relating to coastal resources.

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. 1103**—An act to add Chapter 20 (commencing with Section 42990) to Part 3 of Division 30 of the Public Resources Code, relating to bicycle recycling 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. 1464**—An act to amend Section 21091 of the Public Resources Code, relating to environmental quality.

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 Natural Resources

April 12, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Assembly Bill No. 825

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

HANCOCK, Chair

ASSEMBLY BILL NO. 825—An act relating to air pollution.

# AUTHOR'S AMENDMENTS Committee on Transportation

April 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports: Assembly Bill No. 846

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

OROPEZA, Chair

**ASSEMBLY BILL NO. 846**—An act to amend Section 51220.6 of the Education Code, and to amend Section 11101 of the Vehicle Code, relating to driver 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.

# AUTHOR'S AMENDMENTS Committee on Transportation

April 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports: Assembly Bill No. 913

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

OROPEZA, Chair

**ASSEMBLY BILL NO. 913**—An act to amend Section 5007 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.

# AUTHOR'S AMENDMENTS Committee on Revenue and Taxation

April 12, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports: Assembly Bill No. 1037

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 25120 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 Education

April 12, 2005

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

Assembly Bill No. 1385

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

GOLDBERG, Chair

**ASSEMBLY BILL NO. 1385**—An act to add Section 49561 to the Education Code, relating to pupil nutrition.

# AUTHOR'S AMENDMENTS Committee on Business and Professions

April 12, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports: Assembly Bill No. 1143

Assembly Bill No. 1178

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

NEGRETE McLEOD, Chair

**ASSEMBLY BILL NO. 1143**—An act to amend Sections 1640, 1640.2, 1642, and 1724 of, and to repeal Section 1641 of, the Business and Professions Code, relating to dentistry.

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. 1178**—An act to amend Section 21625 of the Business and Professions Code, relating to personal 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 Utilities and Commerce

April 12, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 736 Assembly Bill No. 1104 Assembly Bill No. 1182

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

LEVINE, Chair

**ASSEMBLY BILL NO. 736**—An act to amend Section 851 of the Public Utilities Code, relating to the regulation of public utilities.

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. 1104**—An act to add Article 6 (commencing with Section 8290) to Chapter 7 of Division 4 of the Public Utilities Code, relating to utility charges.

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. 1182**—An act to amend Section 321.6 of the Public Utilities Code, relating to public utilities.

# AUTHOR'S AMENDMENTS Committee on Utilities and Commerce

April 12, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 380

Assembly Bill No. 974

Assembly Bill No. 1576

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

LEVINE, Chair

**ASSEMBLY BILL NO. 380**—An act to add Section 380 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.

**ASSEMBLY BILL NO. 974**—An act to add Section 25214.5 to the Public Resources Code, and to add Section 311.7 to the Public Utilities Code, relating to energy resources.

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. 1576**—An act to amend Section 26003 of the Public Resources Code, relating to energy.

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 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports: Assembly Bill No. 1623

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

OROPEZA, Chair

**ASSEMBLY BILL NO. 1623**—An act to add Chapter 2.66 (commencing with Section 65089.20) to Division 1 of Title 7 of the Government Code, and to add Section 9250.4 to the Vehicle Code, 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.

# AUTHOR'S AMENDMENTS Committee on Health

April 12, 2005

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

Assembly Bill No. 306	Assembly Bill No. 1155
Assembly Bill No. 622	Assembly Bill No. 1275
Assembly Bill No. 858	Assembly Bill No. 1667
Assembly Bill No. 1144	

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

CHAN, Chair

ASSEMBLY BILL NO. 306—An act relating to prescription drugs.

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

**ASSEMBLY BILL NO. 622**—An act to amend Section 49431 of, and to repeal Section 49431.5 of, the Education Code, relating to pupil nutrition.

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. 858**—An act to amend Section 11999.5 of the Health and Safety Code, relating to substance abuse and crime prevention, 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. 1144**—An act to amend Section 115725 of the Health and Safety Code, relating to playground safety.

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. 1155**—An act to add Section 32126.3 to the Health and Safety Code, relating to health care districts.

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. 1275**—An act to amend Section 130060 of the Health and Safety Code, relating to health 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. 1667**—An act to amend Section 49423.5 of the Education Code, relating to pupil health.

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 12, 2005

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

Assembly Bill No. 835

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

GOLDBERG, Chair

**ASSEMBLY BILL NO. 835**—An act to amend Section 5019 of the Education Code, relating to school districts.

# AUTHOR'S AMENDMENTS Committee on Elections and Redistricting

April 12, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports: Assembly Bill No. 158

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

UMBERG, Chair

**ASSEMBLY BILL NO. 158**—An act to amend Section 2107 of the Elections Code, relating to voter registration.

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 12, 2005

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

Assembly Bill No. 410

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

ARAMBULA, Chair

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

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 12, 2005

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

Assembly Bill No. 232

Assembly Bill No. 1241

Assembly Bill No. 1254

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

LIU, Chair

**ASSEMBLY BILL NO. 232**—An act relating to community colleges, 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. 1241**—An act to add Section 69432.6 to the Education Code, relating to student financial aid.

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. 1254—An act relating to preschool.

# REPORTS OF STANDING COMMITTEES Committee on Natural Resources

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports: Assembly Bill No. 575

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials with recommendation: To Consent Calendar. HANCOCK, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports: Assembly Bill No. 1193

With the recommendation: Do pass, and be re-referred to the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media.

HANCOCK, Chair

Above bill re-referred to the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1612

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

Above bill re-referred to the Committee on Rules.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 287

Assembly Bill No. 1249

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

HANCOCK, Chair

Above bills re-referred to the Committee on Governmental Organization.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 270

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

HANCOCK, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 752 Assembly Bill No. 856

Assembly Bill No. 1524

Assembly Bill No. 1324

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

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 451

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.

# **Committee on Public Safety**

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 787

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 Utilities and Commerce

Date of Hearing: April 11, 2005

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

Assembly Bill No. 1736

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.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports: Assembly Bill No. 1732

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: Assembly Bill No. 716

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

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 948

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

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports: Assembly Bill No. 857

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 11, 2005

Mr. Speaker: Your Committee on Transportation reports: Assembly Bill No. 1353

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

**OROPEZA**, Chair

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

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1238

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

OROPEZA, Chair

Above bill re-referred to the Committee on Local Government.

Date of Hearing: April 11, 2005

Assembly Bill No. 1189

Assembly Bill No. 1229 Assembly Bill No. 1413 Assembly Bill No. 1637

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 453 Assembly Bill No. 555 Assembly Bill No. 713 Assembly Bill No. 1010 Assembly Bill No. 1048

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.

#### **Committee on Health**

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports: Assembly Bill No. 717

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

CHAN, Chair

Above bill ordered to second reading.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 21

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

CHAN, Chair

Above bill ordered to second reading.

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

ASSEMBLY JOURNAL

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports: Assembly Bill No. 1735

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

LEVINE, Chair

Above bill re-referred to the Committee on Appropriations.

## **Committee on Higher Education**

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Higher Education reports: Assembly Bill No. 317 Assembly Bill No. 317 Assembly Bill No. 358 With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bills ordered to second reading.

#### Committee on Water, Parks and Wildlife

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 1003 With the recommendation: Do pass.

WOLK, Chair

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 577 Assembly Bill No. 749

Above bill ordered to second reading.

Assembly Bill No. 1204

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

WOLK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 1244

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

WOLK, Chair

Above bill re-referred to the Committee on Governmental Organization.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 1128

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

WOLK, Chair

Above bill re-referred to the Committee on Elections and Redistricting.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 1747

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

WOLK, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

## MESSAGES FROM THE SENATE

Senate Chamber, April 11, 2005

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

Senate Concurrent Resolution No. 38

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

#### FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 38—Relative to Crime Victims' Rights Week.

### CONSIDERATION OF DAILY FILE ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 359 and 1400, ordered to third reading.

# SECOND READING OF ASSEMBLY BILLS

**ASSEMBLY BILL NO. 1527**—An act to add Sections 760.2 and 955 to the Financial Code, relating to banks.

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

**ASSEMBLY BILL NO. 663**—An act to amend Section 4751 of the Penal Code, relating to local costs.

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.

**ASSEMBLY BILL NO. 865**—An act to add Section 22064 to the Financial Code, relating to finance lenders.

Bill read second time; amendments proposed by the Committee on Banking and Finance 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. 348**—An act to amend Sections 14839 and 14839.1 of the Government Code, relating to small business programs.

Bill read second time; amendments proposed by the Committee on Jobs, Economic Development and the Economy read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 1150**—An act to amend Sections 1992 and 1994 of, to add Sections 1993.1 and 1993.2 to, and to repeal and add Section 1993 of, the Code of Civil Procedure, and to add Section 26744.5 to the Government Code, relating to civil warrants.

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

ASSEMBLY BILL NO. 1152—An act to amend Section 3000 of the Penal Code, relating to parole.

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

**ASSEMBLY BILL NO. 1077**—An act to add Section 49452.7 to the Education Code, relating to pupil health.

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

**ASSEMBLY BILL NO. 1322**—An act to amend Section 170.1 of the Code of Civil Procedure, relating to judges.

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

# ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 13, 2005.

FABIAN NUNEZ, Speaker

SUE PARKER, Minute Clerk

# AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 12, 2005

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

AB	RN		AB	RN
27	0510940		938	0510829
48	0511104		974	0510892
110	0510965		1032	0509768
158	0511157		1037	0511298
184	0509928		1060	0510854
187	0511221		1065	0510559
232	0511047		1077	0511282
267	0511310		1103	0510669
306	0509849		1104	0510984
348	0510865		1143	0511231
377	0511281		1144	0511406
380	0510904		1150	0510846
410	0510405		1152	0510399
417	0511006		1155	0510749
556	0510502		1178	0511249
581	0510671		1179	0510832
587	0510241		1182	0510076
598	0510264		1241	0511148
622	0510498		1253	0510676
651	0510947		1254	0509534
661	0509895		1275	0510763
663	0511142		1322	0511004
736	0510237		1385	0511283
738	0511029		1418	0511204
739	0511223		1464	0511307
766	0510867		1527	0510633
771	0510204		1576	0510911
825	0510953		1623	0510875
835	0509356		1626	0510689
846	0511312		1636	0510826
858	0510693		1643	0510784
865	0510870		1657	0510462
867	0511226		1667	0510087
911	0510830		1685	0510219
913	0511022			
		Daily Total:	69	

Daily Total:	69
<b>Cumulative Total:</b>	665