

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 25, 2005

FIFTY-NINTH SESSION DAY

ONE HUNDRED FORTY-FIRST 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
Monday, April 25, 2005

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

ROLL CALL

The roll was called.

Quorum Call of the Assembly

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

At 12:02 p.m., Speaker pro Tempore Yee placed a quorum call upon
the Assembly.

The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:09 p.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—76:

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

PRAYER

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

Lord, Examine us and test us. Judge our desires and thoughts. As we live each day and go about our business, we try to do what is right, so be merciful to us and save us. Your constant love is our guide and Your faithfulness always leads us. Grant us the wisdom to make the right choices, Lord, and help us to remember that You are bigger than any problems we may encounter. Thank You for loving us and setting us free to walk with You today.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Negrete McLeod 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 Goldberg, 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 Member La Suer.

Because of illness: Assembly Members Cohn, Gordon, and Núñez.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

April 20, 2005

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

Dear Mr. Speaker: I am requesting to be excused from Session on legislative business from Monday, April 25–Thursday, April 28, 2005 because I will be in Washington D.C.

I will be meeting with an assistant of Secretary of State Condoleeza Rice on an important immigration matter. I am seeking the extradition of Armando Garcia from Mexico back to California for the execution style murder of 33-year old Los Angeles County Deputy Sheriff David March.

Thank you for your consideration.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

COMMUNICATIONS

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

April 25, 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 Fran Pavley to replace Assemblymember Mike Gordon on the Assembly Natural Resources Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 25, 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 Paul Koretz to replace Assemblymember Sally Lieber on the Assembly Revenue and Taxation Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 25, 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 Dave Jones to replace Assemblymember Rebecca Cohn on the Assembly Utilities and Commerce Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 25, 2005

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

Dear Dotson: Please be advised that I have appointed Assemblymember Hector De La Torre to replace Assemblymember Mike Gordon on the Assembly Health Committee for the Tuesday, April 26 hearing.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Report on Bureau Resources
Fee Structures and Statutory Obligations
(Pursuant to Senate Bill 364, Chapter 789, Statutes of 2003)**

Above transmitted report, together with letter of transmittal from Charlene Zettel, Director, Department of Consumer Affairs, dated April 7, 2005, referred by the Speaker to the Committee on Business and Professions.

**Review of the Price Posting and Filing Regulations for
the 2004 Marketing Season for the Purchase of Processing Strawberries
(Pursuant to Senate Bill 81, Chapter 18, Statutes of 1985)**

Above transmitted report, together with letter of transmittal from A.J. Yates, Undersecretary, Department of Food and Agriculture, dated April 11, 2005, referred by the Speaker to the Committee on Agriculture.

**Independent Operations and Incident Review Panel on
the California Institution for Men—March 2005
(Pursuant to Penal Code Section 6028.3)**

Above transmitted report, together with letter of transmittal from Karen L. Stoll, Executive Director (A), Board of Corrections, dated April 12, 2005, referred by the Speaker to the Committee on Public Safety.

**Reading, Writing, and Mathematics Proficiency of
All First-time Freshmen
(Pursuant to Supplemental Report to the 2001 Budget Act)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated April 8, 2005, referred by the Speaker to the Committee on Higher Education.

**Department Findings from an Audit of
the San Francisco Regional Water System (SFRWS) Program
of Maintenance and a Field Investigation of the (SFRWS) Major Facilities
(Pursuant to Assembly Bill 1823, Chapter 841, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated April 12, 2005, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Comprehensive Drug Court Implementation (CDCI) Act of 1999
(Pursuant to Health and Safety Code Section 11970.2)**

Above transmitted report, together with letter of transmittal from Kathryn P. Jett, Director, Department of Alcohol and Drug Programs, dated April 15, 2005, referred by the Speaker to the Committee on Judiciary.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 25, 2005

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

Assembly Bill No. 324

Assembly Bill No. 378

Assembly Bill No. 662

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 25, 2005

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

Assembly Concurrent Resolution No. 41

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 25, 2005

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

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 10

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, April 25, 2005

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

Assembly Joint Resolution No. 12

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 25, 2005

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

Assembly Bill No. 10

Assembly Bill No. 19

Assembly Bill No. 22

Assembly Bill No. 27

Assembly Bill No. 171

Assembly Bill No. 176

Assembly Bill No. 306

Assembly Bill No. 344

Assembly Bill No. 398

Assembly Bill No. 401

Assembly Bill No. 416

Assembly Bill No. 450

Assembly Bill No. 468

Assembly Bill No. 494

Assembly Bill No. 499

Assembly Bill No. 539

Assembly Bill No. 554

Assembly Bill No. 561

Assembly Bill No. 622

Assembly Bill No. 632

Assembly Bill No. 670

Assembly Bill No. 671

Assembly Bill No. 672

Assembly Bill No. 686

Assembly Bill No. 693

Assembly Bill No. 797

Assembly Bill No. 862

Assembly Bill No. 877

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 25, 2005

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

- Assembly Bill No. 879
- Assembly Bill No. 917
- Assembly Bill No. 924
- Assembly Bill No. 962
- Assembly Bill No. 996
- Assembly Bill No. 1022
- Assembly Bill No. 1065
- Assembly Bill No. 1073
- Assembly Bill No. 1178
- Assembly Bill No. 1191
- Assembly Bill No. 1195
- Assembly Bill No. 1210
- Assembly Bill No. 1245
- Assembly Bill No. 1247

- Assembly Bill No. 1388
- Assembly Bill No. 1390
- Assembly Bill No. 1392
- Assembly Bill No. 1398
- Assembly Bill No. 1416
- Assembly Bill No. 1430
- Assembly Bill No. 1454
- Assembly Bill No. 1466
- Assembly Bill No. 1486
- Assembly Bill No. 1503
- Assembly Bill No. 1546
- Assembly Bill No. 1608
- Assembly Bill No. 1618
- Assembly Bill No. 1632

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 25, 2005

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

- Assembly Bill No. 1666
- Assembly Bill No. 1678
- Assembly Bill No. 1694
- Assembly Bill No. 1699

- Assembly Bill No. 1728
- Assembly Bill No. 1741
- Assembly Bill No. 1757

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 25, 2005

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

- Assembly Constitutional Amendment No. 13
- Assembly Constitutional Amendment No. 14

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, April 25, 2005

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

- Assembly Concurrent Resolution No. 24
- Assembly Joint Resolution No. 15

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

Bill No.

Committee

346	-----	Appr.
467	-----	Health
521	-----	Ins.
790	-----	B. & P.
953	-----	Ed.
986	-----	L. Gov. and Trans.
1076	-----	Ed.
1302	-----	B. & P.

1417	-----	Ed.
1455	-----	Jud.
1613	-----	Rev. & Tax.

Assembly Joint

<i>Resolution No.</i>		<i>Committee</i>
21	-----	Trans.

House

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

Senate Concurrent

<i>Resolution No.</i>		<i>Committee</i>
7	-----	Trans.
8	-----	Trans.
10	-----	Trans.
11	-----	Trans.
12	-----	Trans.

SPECIAL COMMITTEE MEETINGS

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

Higher Education, on Thursday, April 28, 2005, upon adjournment of Floor Session.

**AUTHOR'S AMENDMENTS
Committee on Veterans Affairs**

April 25, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:
Assembly Bill No. 1445

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

GORDON, Chair

ASSEMBLY BILL NO. 1445—An act to add Article 2.5 (commencing with Section 150) to Chapter 2 of Part 1 of Division 2 of the Military and Veterans Code, relating to the Military Department.

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 25, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 1645

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

EVANS, Chair

ASSEMBLY BILL NO. 1645—An act to amend Section 4691 of the Welfare and Institutions Code, relating to developmental services.

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

**AUTHOR'S AMENDMENTS
Committee on Health**

April 25, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 1711

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

CHAN, Chair

ASSEMBLY BILL NO. 1711—An act to add Section 1261.3 to 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.

**AUTHOR'S AMENDMENTS
Committee on Local Government**

April 25, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 1238
Assembly Bill No. 1352

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

SALINAS, Chair

ASSEMBLY BILL NO. 1238—An act to amend Sections 125000, 125001, 125002, 125050, 125052, 125105, 125200, 125201, 125202, 125220, 125222, 125226, 125227, 125240, 125241, 125260, 125350, 125351, 125352, 125400, 125522, 125524, 125525, 125526, 125527, 125540, 125541, 125550, 125551, 125552, 125560, 125561, 125600, 125700, 125701, 125702, 125703, 125705, 125707, 125708, 125709, 125710, 125711, 125712, 125713, 125714, 125715, and 125716 of, and to amend the heading of Division 11.5 (commencing with Section 125000) of, to add Sections 125203, 125450, and 125500 to, and to repeal Sections 125300 and 125301 of, the Public Utilities 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. 1352—An act to amend Section 33334.25 of, and to add Section 33334.26 to, the Health and Safety Code relating to redevelopment.

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 Veterans Affairs**

April 25, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:
Assembly Bill No. 980

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

GORDON, Chair

ASSEMBLY BILL NO. 980—An act to add Article 4 (commencing with Section 345) to Chapter 5 of Part 1 of Division 2 of the Military and Veterans Code, relating to the state militia.

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 25, 2005

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

Assembly Bill No. 66

Assembly Bill No. 607

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 66—An act to amend, repeal, and add Section 17071.75 of, and to add and repeal Sections 14022.7, 14702, 42238.25, 42238.26, 48003, 48004, and 48012 of, the Education Code, relating to kindergarten, 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. 607—An act to amend Section 41601 of the Education Code, relating to school 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 Health

April 25, 2005

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

Assembly Bill No. 929

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

CHAN, Chair

ASSEMBLY BILL NO. 929—An act to add Section 1256.5 to, and to add Article 5 (commencing with Section 114897) to Chapter 6 of Part 9 of Division 104 of, the Health and Safety Code, relating to radiation technology.

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 25, 2005

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

Assembly Bill No. 681

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

VARGAS, Chair

ASSEMBLY BILL NO. 681—An act to amend Section 5307.1 of the Labor 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.

AUTHOR'S AMENDMENTS
Committee on Veterans Affairs

April 25, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 30

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

GORDON, Chair

ASSEMBLY BILL NO. 30—An act to amend Sections 20069, 20303, 20305, 20822, 20894, 20896, 21023, 21024, 21027, 21029, and 21117 of, and to add Sections 20326, 20772.5, 20823, 20935, 20992, 21029.5, and 31649.6 to, the Government Code, and to amend Sections 215, 228, and 256 of the Military and Veterans Code, relating to public employees' retirement, and making an appropriations therefor.

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

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

April 25, 2005

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

Assembly Bill No. 1562

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

ARAMBULA, Chair

ASSEMBLY BILL NO. 1562—An act to add Section 13985 to, and to add Article 6.5 (commencing with Section 12065) to Chapter 1 of Part 2 of Division 3 of Title 2 of, the Government Code, relating to international trade.

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 25, 2005

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

Assembly Bill No. 1548

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

MATTHEWS, Chair

ASSEMBLY BILL NO. 1548—An act to add and repeal Section 6024.5 of the Food and Agricultural Code, relating to field rodents.

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 25, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Assembly Bill No. 203

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

JEROME HORTON, Chair

ASSEMBLY BILL NO. 203—An act to add Section 19401.5 to the Business and Professions Code, relating to horse racing.

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 Elections and Redistricting

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 513

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

UMBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 821

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

UMBERG, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1574

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

JONES, Chair

Above bill ordered to second reading.

Committee on Agriculture

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 621

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

MATTHEWS, Chair

Above bill ordered to second reading.

Committee on Elections and Redistricting

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 1558

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

UMBERG, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 258

Assembly Bill No. 525

Assembly Bill No. 356

Assembly Bill No. 651

Assembly Bill No. 512

Assembly Bill No. 1321

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

CHAN, Chair

Above bills ordered to second reading.

Committee on Appropriations

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1267

With the recommendation: Do pass, as amended.

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

CHU, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 800

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

CHAN, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: April 18, 2005

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

Assembly Bill No. 380

Assembly Bill No. 1458

Assembly Bill No. 1723

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

LEVINE, Chair

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, April 21, 2005

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

Senate Concurrent Resolution No. 39

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. 39—Relative to Sexual Assault Awareness Month.

CAUCUS ANNOUNCEMENTS

At 12:10 p.m., Assembly Member Cogdill was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

Speaker pro Tempore Yee announced that the Democratic Caucus would meet in the Assembly Lounge.

RECONVENED

At 12:39 p.m., the Assembly reconvened.

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

RE-REFERENCE OF BILLS

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

Assembly Bill No. 110 from the Committee on Higher Education to the Committee on Appropriations;

Assembly Bill No. 158 from the Committee on Elections and Redistricting to the Committee on Utilities and Commerce;

Assembly Bill No. 172 from the Committee on Appropriations to the Committee on Higher Education;

Assembly Bill No. 306 from the Committee on Health to the Committee on Veterans Affairs;

Assembly Bill No. 1094 from the Committee on Local Government to the Committee on Business and Professions;

Assembly Bill No. 1140 from the Committee on Local Government to the Committee on Elections and Redistricting and to be returned to the Committee on Local Government;

Assembly Bill No. 1541 from the Committee on Business and Professions to the Committee on Human Services.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Aging and Long-Term Care to hear Assembly Bill No. 300 on Wednesday, April 27, 2005;

Committee on Education to hear Assembly Bills Nos. 1212 and 1503 on Wednesday, April 27, 2005;

Committee on Insurance to hear Assembly Bill No. 881 on Wednesday, April 27, 2005;

Committee on Veterans Affairs to hear Assembly Bill No. 306 on Tuesday, April 26, 2005.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Frommer was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the following committees to notice hearing of the following bills, pending re-referral to the committee:

Committee on Judiciary, to hear Assembly Bills Nos. 581 and 771, on Tuesday, April 26, 2005;

Committee on Local Government, to hear Assembly Bills Nos. 797 and 1623, on Wednesday, April 27, 2005.

RECESS

By unanimous consent, at 12:42 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Goldberg introduced and welcomed a delegation of Education Ministers from Bosnia Herzegovina who are part of the Civitas Exchange Program. The distinguished members of the delegation included: Zijad Pasich, Minister of Education of the Federation of BiH, Milovan Pecelj, Minister of Education of Republika Srpska, Jozo Marich, Minister of Education of West Herzegovina Canton, and Rahela Dzidich, Executive Director of Civitas @Bosnia and Herzegovina.

* * *

Assembly Member Koretz introduced and welcomed the leadership team from Kaiser Permanente in Los Angeles. The team included: Barry Wolfman, Senior Vice President and Service Area Manager, Metropolitan Los Angeles; Dr. Howard Fullman, Medical Director, West Los Angeles Medical Center; Dr. Thomas Godfrey, Medical Director, Los Angeles Medical Center; Mehera Christian, Public Affairs Director, West Los Angeles Medical Center; and Gail Koretz, Public Affairs Director, Los Angeles Medical Center.

* * *

Assembly Member Wyland introduced, congratulated, and welcomed Ibiyinka Alao of Nigeria, the first place winner of the United Nations International Art Competition.

RECONVENED

At 12:45 p.m., the Assembly reconvened.

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

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 Bill No. 378, ordered to third reading;

Assembly Bills Nos. 324 and 662, ordered to the Consent Calendar.

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 737, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 208—An act to amend Sections 48306 and 48308 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 51—An act to amend Section 8152 of the Education Code, relating to apprenticeships.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 52—An act to amend Section 19577 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 57—An act to amend Section 1773.1 of the Labor Code, relating to public works.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 240—An act to amend Section 3003 of the Penal Code, relating to parole.

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 507—An act to add Chapter 3.34 (commencing with Section 1596.55) to Division 2 of the Health and Safety Code, and to amend Section 11105 of the Penal Code, relating to criminal history checks.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 795—An act relating to peace officers, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 834—An act to amend Sections 19412, 19549.6, and 19610.8 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1374—An act to amend Section 12975.9 of the Insurance Code, relating to seismic safety.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1518—An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1594—An act to add Section 852 of the Military and Veterans Code, relating to military, 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. 1669—An act to amend Section 12960 of the Government Code, relating to employment.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 83—An act to amend Sections 116030 and 116045 of the Health and Safety Code, relating to swimming pools.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 270—An act to amend Section 66907.7 of the Government Code, relating to the California Tahoe Conservancy.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 280—An act to amend Sections 171.5 and 602 of the Penal Code, relating to harbors.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 303—An act to amend Sections 313 and 313.5 of the Business and Professions Code, relating to consumer affairs.

Bill read second time, and ordered to 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, and ordered to Consent Calendar.

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

Bill read second time, and ordered to Consent Calendar.

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

Bill read second time, and ordered to Consent Calendar.

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

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 604—An act to add Section 14001 to, and to repeal Sections 15037 and 15037.1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 752—An act to amend and repeal Section 8670.37.58 of the Government Code, relating to oil spills.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 787—An act to add Section 538h to the Penal Code, relating to crime.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 806—An act to add Chapter 5.8 (commencing with Section 13489) to Title 6 of Part 4 of the Penal Code, relating to high technology crimes.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 823—An act to amend Sections 456, 457, and 458 of the Military and Veterans Code, relating to military and veterans.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 837—An act to add Section 10110.5 to, the Insurance Code, relating to insurance.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1048—An act to amend Section 15242 of the Vehicle Code, relating to motor carriers.

Bill read second time, and ordered to Consent Calendar.

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, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1303—An act to amend Sections 41329.52, 41329.55, 41329.56, and 41329.57 of the Education Code, and to add Section 63049.68 to the Government Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1376—An act to amend Section 1428 of the Health and Safety Code, relating to long-term health care facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1743—An act to amend Section 17552 of the Family Code, relating to child support.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 690—An act to add Section 323 to the Military and Veterans Code, relating to military compensation.

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. 1346—An act to amend Section 1250 of the Health and Safety Code, relating to health facilities.

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

Bill read second time; 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. 393—An act to amend Section 67055 of the Food and Agricultural Code, relating to agriculture.

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

ASSEMBLY BILL NO. 8—An act to amend Section 14105.436 of the Welfare and Institutions Code, relating to Medi-Cal.

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. 436—An act to amend Section 14105.48 of the Welfare and Institutions Code, relating to Medi-Cal.

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. 1625—An act to add Section 7550.7 to the Government Code, relating to state reports.

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

ASSEMBLY BILL NO. 635—An act to amend Section 19961 of, and to add Section 19961.05 to, the Business and Professions Code, relating to gambling.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 794—An act to amend Section 6254 of the Government Code, relating to public records.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1519—An act to amend Sections 26202.6, 26206.8, 34090.6, 34090.8, 53160, and 53162 of, the Government Code, relating to government records.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1335—An act to amend Sections 22500, 22502, 22525, 22528, 22535, 22566, 22567, 22569, 22585, 22587, and 22591 of, and to add Sections 22531.1 and 22541 to, the Streets and Highways Code, relating to public works.

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 882—An act to amend Section 17316 of the Education Code, relating to school facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 581—An act to amend Section 7110.5 of the Business and Professions Code, and to amend Sections 1771.2 and 1776 of, and to add Section 1726.5 to, the Labor Code, relating to public works.

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

ASSEMBLY BILL NO. 551—An act to amend Section 1812.5095 of the Civil Code, and to amend Section 687.2 of the Unemployment Insurance Code, relating to employment agencies.

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

ASSEMBLY BILL NO. 858—An act to amend Sections 11999.5, 11999.9, 11999.10, and 11999.12 of the Health and Safety Code, and Sections 1210, 1210.1, and 3063.1 of, the Penal Code, relating to substance abuse and crime prevention, and making an appropriation therefor.

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 Appropriations.

ASSEMBLY BILL NO. 984—An act to add Section 1714.43 to the Civil Code, relating to liability.

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 Agriculture.

ASSEMBLY BILL NO. 998—An act to amend Section 11160 of the Penal Code, relating to reporting.

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. 766—An act to add Chapter 34 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to the Internet.

Bill read second time; amendments proposed by the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media read and adopted; bill ordered reprinted and to be re-referred to the Committee on Judiciary.

ASSEMBLY BILL NO. 405—An act to add Section 17610.1 to the Education Code, relating to schoolsites.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 14—An act to amend Section 1352 of the Civil Code and to add Section 71.5 to the Revenue and Taxation Code, relating to common interest developments.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 25, 2005

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

Assembly Bill No. 51

Assembly Bill No. 1374

Assembly Bill No. 57

Assembly Bill No. 1518

Assembly Bill No. 414

Assembly Bill No. 1594

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 25, 2005

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

Assembly Bill No. 280

Assembly Bill No. 1376

Assembly Bill No. 303

Assembly Bill No. 1743

Assembly Bill No. 604

Assembly Bill No. 1519

Assembly Bill No. 752

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

BILLS REMOVED FROM CONSENT CALENDAR

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

Assembly Bill No. 837, on request of Assembly Member Benoit.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY CONCURRENT RESOLUTION NO. 27 (La Malfa)—Relative to National Engineers Week.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—75

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
Coto	Keene	Negrete McLeod	Wolk
Daucher	Klehs	Niello	Wyland
De La Torre	Koretz	Parra	Yee
DeVore	La Malfa	Pavley	

NOES—None

Above resolution ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 620 (Negrete McLeod)—An act to amend Sections 1335, 1336, 1337, and 1341 of the Penal Code, relating to criminal proceedings.

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

AYES—74

Aghazarian	Emmerson	Leno	Richman
Arambula	Evans	Leslie	Ridley-Thomas
Baca	Frommer	Levine	Runner
Bass	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
Coto	Keene	Negrete McLeod	Wolk
Daucher	Klehs	Niello	Wyland
De La Torre	Koretz	Parra	Yee
DeVore	La Malfa	Pavley	
Dymally	Laird	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1158 (Lieber)—An act to amend Section 425.16 of the Code of Civil Procedure, relating to civil actions.

Bill read third time.

Motion to Amend by Assembly Member Lieber

Assembly Member Lieber moved the adoption of amendments.

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

ASSEMBLY BILL NO. 643 (Negrete McLeod)—An act to amend Section 3533 of the Government Code, relating to state employees.

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

AYES—51

Arambula	De La Torre	Laird	Pavley
Baca	Dymally	Leno	Plescia
Bass	Evans	Levine	Ridley-Thomas
Berg	Frommer	Lieber	Ruskin
Bermúdez	Garcia	Liu	Saldaña
Blakeslee	Goldberg	Matthews	Salinas
Bogh	Hancock	Montañez	Strickland
Calderon	Horton, Jerome	Mullin	Torrico
Canciamilla	Horton, Shirley	Nakanishi	Umberg
Chan	Jones	Nation	Vargas
Chavez	Karnette	Nava	Wolk
Chu	Klehs	Negrete McLeod	Yee
Coto	Koretz	Parra	

NOES—23

Aghazarian	Harman	Leslie	Runner
Benoit	Haynes	Maze	Spitzer
Cogdill	Houston	McCarthy	Villines
Daucher	Huff	Mountjoy	Walters
DeVore	Keene	Niello	Wyland
Emmerson	La Malfa	Richman	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 643: Assembly Member Shirley Horton from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 982 (Laird)—An act to amend Section 76355 of the Education Code relating to community colleges.

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

AYES—72

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

NOES—1

Strickland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 11 (De La Torre)—An act to add Section 36516.3 to the Government Code, relating to city councils.

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

AYES—71

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

NOES—2

Leslie	Maze
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Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 11: Assembly Member Jerome Horton from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 341 (Huff)—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3260 and 3260.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

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

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1495 (Canciamilla)—An act to amend Section 415.46 of the Code of Civil Procedure, relating to unlawful detainee.

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

AYES—69

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

NOES—2

Plescia Strickland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 252 (Chavez)—An act to amend Section 8778 of the Government Code, relating to arts.

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

AYES—63

Aghazarian	Dymally	Laird	Plescia
Arambula	Emmerson	Leno	Richman
Baca	Evans	Levine	Ridley-Thomas
Bass	Frommer	Lieber	Runner
Benoit	Garcia	Liu	Ruskin
Berg	Goldberg	Matthews	Saldaña
Bermúdez	Hancock	McCarthy	Salinas
Blakeslee	Harman	Montañez	Spitzer
Bogh	Horton, Jerome	Mullin	Strickland
Calderon	Horton, Shirley	Nakanishi	Torrigo
Canciamilla	Houston	Nation	Umberg
Chan	Jones	Nava	Vargas
Chavez	Karnette	Negrete McLeod	Wolk
Chu	Klehs	Oropeza	Wyland
Coto	Koretz	Parra	Yee
Daucher	La Malfa	Pavley	

NOES—11

Cogdill	Keene	Mountjoy	Villines
DeVore	Leslie	Niello	Walters
Haynes	Maze	Tran	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1122 (Wyland)—An act to amend Section 672 of the Insurance Code, relating to auto insurance.

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

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1734 (Committee on Insurance)—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

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

AYES—45

Arambula	Dymally	Levine	Ridley-Thomas
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Montañez	Torrico
Calderon	Horton, Jerome	Mullin	Umberg
Canciamilla	Jones	Nation	Vargas
Chan	Karnette	Nava	Wolk
Chavez	Klehs	Negrete McLeod	Yee
Chu	Koretz	Oropeza	
Coto	Laird	Parra	
De La Torre	Leno	Pavley	

NOES—31

Aghazarian	Garcia	Leslie	Runner
Benoit	Harman	Maze	Spitzer
Blakeslee	Haynes	McCarthy	Strickland
Bogh	Horton, Shirley	Mountjoy	Tran
Cogdill	Houston	Nakanishi	Villines
Daucher	Huff	Niello	Walters
DeVore	Keene	Plescia	Wyland
Emmerson	La Malfa	Richman	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1188 (Wolk)—An act to amend Sections 11162 and 11166.01 of the Penal Code, and to amend Section 15630 of the Welfare and Institutions Code, relating to abuse.

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

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 1:07 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Spitzer, Strickland, Walters, DeVore, and Haynes introduced and welcomed more than 50 high school students participating in the California Republican Women's Federation Advocacy Day Program.

RECONVENED

At 1:08 p.m., the Assembly reconvened.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 41 (Negrete McLeod)—
Relative to California Peace Officers' Memorial Day.

Resolution read.

Members Made Coauthors of
Assembly Concurrent Resolution No. 41

Assembly Member Negrete McLeod was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 41.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member Negrete McLeod was granted unanimous consent to take up Assembly Concurrent Resolution No. 41, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 41, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 41—Relative to California Peace Officers' Memorial Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS

By unanimous consent, at 1:12 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Umberg introduced Councilman Jose Solorio and Jill Arthur, of the City of Santa Ana.

RECONVENED

At 1:13 p.m., the Assembly reconvened.

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

CONSIDERATION OF SENATE BILL NO. 737 BY UNANIMOUS CONSENT

Assembly Member Frommer was granted unanimous consent to take up Senate Bill No. 737 without reference to file, for purpose of consideration.

SENATE BILL NO. 737 (Romero)—An act to amend Section 11552 of, to add Article 14 (commencing with Section 12838) to Chapter 1 of Part 2.5 of Division 3 of Title 2 of, and to repeal Sections 11560, 11563.1, 12811, and 12811.1 of, the Government Code, and to amend Sections 2800, 2802, 2803, 2804, 2806, 2807, 2808, 2809, 2810, 2810.5, 2811, 2815, 2816, 3041, 3041.1, 5000, 5001, 5003.5, 5050, 5052, 5054, 5055, 5057, 5075, 5076.1, 6024, 6025, 6026, 6030, 6050, 7518, 13600, 13601, 13602, 13603, 13810, and 14204 of, to amend the headings of Chapter 1 (commencing with Section 5000), Chapter 2 (commencing with Section 5050), Chapter 3 (commencing with Section 5075), Chapter 4 (commencing with Section 6001), and Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of, and to amend the heading of Title 4.5 (commencing with Section 13600) of Part 4, of, and to add Sections 5075.1, 5075.6, and 6126.6 to, and to repeal Sections 2036, 2038, 2043.3, 2045.3, 2046.3, 2048.3, 2048.7, 2079, 5051, 5051.5, 5053, 5067, 5082, 6001, 6003, and 6004 of, and to repeal Article 3 (commencing with Section 2400) of Chapter 2 of Title 1 of Part 3 of, the Penal Code, and to amend Sections 1000, 1703, 1710, 1711, 1712, 1713, 1714, 1716, 1719, 1720, 1723, 1725, 1766, 1798, 3150, 3151, 3158, 3300, and 3309 of, and to repeal Sections 1717, 1718, 1721, 1722, and 3157 of, and to repeal and add Section 1798.5 the Welfare and Institutions Code, relating to reorganizing the Youth and Adult Correctional Agency, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Leno.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—60

Aghazarian	Evans	Levine	Pavley
Arambula	Frommer	Lieber	Richman
Bass	Goldberg	Liu	Ridley-Thomas
Berg	Hancock	Matthews	Runner
Blakeslee	Horton, Shirley	Maze	Ruskin
Calderon	Houston	McCarthy	Saldaña
Canciamilla	Huff	Montañez	Salinas
Chan	Jones	Mountjoy	Torrico
Chu	Karnette	Mullin	Tran
Coto	Keene	Nakanishi	Umberg
Daucher	Klehs	Nation	Villines
De La Torre	Koretz	Nava	Walters
DeVore	Laird	Niello	Wolk
Dymally	Leno	Oropeza	Wyland
Emmerson	Leslie	Parra	Yee

NOES—11

Baca	Bogh	Haynes	Spitzer
Benoit	Cogdill	La Malfa	Strickland
Bermúdez	Garcia	Plescia	

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—60

Aghazarian	Evans	Levine	Pavley
Arambula	Frommer	Lieber	Richman
Bass	Goldberg	Liu	Ridley-Thomas
Berg	Hancock	Matthews	Runner
Blakeslee	Horton, Shirley	Maze	Ruskin
Calderon	Houston	McCarthy	Saldaña
Canciamilla	Huff	Montañez	Salinas
Chan	Jones	Mountjoy	Torrico
Chu	Karnette	Mullin	Tran
Coto	Keene	Nakanishi	Umberg
Daucher	Klehs	Nation	Villines
De La Torre	Koretz	Nava	Walters
DeVore	Laird	Niello	Wolk
Dymally	Leno	Oropeza	Wyland
Emmerson	Leslie	Parra	Yee

NOES—11

Baca	Bogh	Haynes	Spitzer
Benoit	Cogdill	La Malfa	Strickland
Bermúdez	Garcia	Plescia	

Bill ordered transmitted to the Senate immediately.

**At 1:17 p.m., Assistant Speaker pro Tempore Sally Lieber,
22nd District, presiding**

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

HOUSE RESOLUTION NO. 10 (La Malfa)—Relative to Denim Day California.
Resolution read.

Members Made Coauthors of House Resolution No. 10

Assembly Member La Malfa was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 10.

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, 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, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member La Malfa was granted unanimous consent to take up House Resolution No. 10, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 10, as Amended**HOUSE RESOLUTION NO. 10**—Relative to Denim Day California.

Resolution read, as amended, and adopted.

ASSEMBLY BILL NO. 866 (Yee)—An act to amend Section 20440 of the Elections Code, relating to the Code of Fair Campaign Practices.

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

AYES—47

Arambula	De La Torre	Leno	Pavley
Baca	Dymally	Levine	Richman
Bass	Evans	Lieber	Ridley-Thomas
Berg	Frommer	Liu	Ruskin
Bermúdez	Goldberg	Matthews	Saldaña
Calderon	Hancock	Montañez	Salinas
Canciamilla	Horton, Jerome	Mullin	Torrico
Chan	Jones	Nation	Umberg
Chavez	Karnette	Nava	Vargas
Chu	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Oropeza	Yee
Daucher	Laird	Parra	

NOES—27

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

Bill ordered transmitted to the Senate.

At 1:25 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**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. 1464 (McCarthy)**—An act to amend Section 21091 of the Public Resources Code, relating to environmental quality.

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. 1130 (Ruskin)**—An act to amend Section 4519.7 of the Welfare and Institutions Code, relating to developmental 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. 301 (Committee on Business and Professions)**—An act to amend Section 11011.15 of the Government Code, relating to state property.

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 Roll Call

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

AYES—75

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

NOES—None

SPECIAL RECOGNITION

The Members of the Assembly joined Assembly Member Leno in extending best wishes to Assembly Member Lieber on the occasion of her birthday.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee schedule was announced:

Committee on Elections and Redistricting, today, upon adjournment of Floor session, in Room 444;

Committee on Public Employees, Retirement and Social Security, today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room;

Committee on Natural Resources, today, at 1:45 p.m.;

Budget Subcommittee No. 1 on Health and Human Services today, in Room 437.

ADJOURN IN MEMORY

Assembly Member Emmerson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mark Robertson, of Claremont.

(Assembly Rule 45.5 suspended.)

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 Thomas Soji Akiyama, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Wyland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Andrew Thibeault, of Carlsbad.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Aghazarian and Blakeslee were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Russell H. Clagg, of Nipomo.

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Megan Cope, of San Jacinto.

Speaker pro Tempore Yee on behalf of Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Former L.A. County Supervisor Deane Dana, of Los Angeles County.

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 Sgt. Anthony J. Davis, Jr., of Long Beach.

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Francis Ritter, of Reseda.

Speaker pro Tempore Yee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sister Mary of Nazareth (Mary Caroline Lasken), of the Catholic Community of Cloistered Nuns of St. Dominic, of Menlo Park.

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 Gary H. Magnelli, of Benicia; Ralph Mack, of Dixon; Charlotte Loftis, of Fairfield; Dale Marlow Winger, of Suisun City; and Raymond Frank Hamilton, of Vacaville.

VOTE ADDS

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

Assembly Concurrent Resolution No. 27, Concurrence: Bermúdez, Blakeslee, Chan, Chu, De La Torre, Houston, Jones, Koretz, Ruskin, and Wyland—Aye.

Assembly Bill No. 620: Houston, Jones, Plescia, and Strickland—Aye.

Assembly Bill No. 643: Bogh, Garcia, Jones, Plescia, and Strickland—Aye; Aghazarian, Houston, Keene, La Malfa, and Villines—No.

Assembly Bill No. 982: Houston—Aye.

Assembly Bill No. 11: Bermúdez, Canciamilla, and Houston—Aye.

Assembly Bill No. 341: Hancock—Aye.

Assembly Bill No. 1495: Aghazarian, Chan, Hancock, Shirley Horton, and La Malfa—Aye; Plescia and Strickland—No.

Assembly Bill No. 252: Aghazarian, Houston, McCarthy, Plescia, and Runner—Aye.

Assembly Bill No. 1122: Leno—Aye.

Assembly Bill No. 1734: Jones and Koretz—Aye; Nakanishi—No.

Assembly Bill No. 1188: Wyland—Aye.

Senate Bill No. 737 and Urgency: Maze, Montañez, Nation, and Wyland—Aye; Benoit, Bermúdez, Bogh, Garcia, Plescia, and Strickland—No.

Assembly Bill No. 866: Bermúdez and Montañez—Aye.
Consent Calendar: Yee—Aye.

MOTION TO ADJOURN

At 1:31 p.m., Assembly Member Lieber moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.
 Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:32 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 56—Montanez (Principal coauthor: Chu). Relative the California State University.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 25, 2005

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

Assembly Concurrent Resolution No. 4
 Assembly Concurrent Resolution No. 32
 Assembly Concurrent Resolution No. 35

And reports the same correctly enrolled, and presented to the Secretary of State on the 25th day of April, 2005, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

April 25, 2005

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

Assembly Bill No. 87
 Assembly Bill No. 802
 Assembly Bill No. 1665

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

WOLK, Chair

ASSEMBLY BILL NO. 87—An act to amend Section 4005 of the Fish and Game Code, relating to trapping licenses.

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. 802—An act to amend Section 65302 of the Government Code, relating to local planning.

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. 1665—An act to amend Section 10295 of the Public Contract Code, and to amend Section 8551 of, to add Part 6 (commencing with Section 9600) and Part 7 (commencing with Section 9660) to Division 5 of, the Water Code, relating to water.

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

AUTHOR'S AMENDMENTS
Committee on Appropriations

April 25, 2005

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

Assembly Bill No. 196
 Assembly Bill No. 1144
 Assembly Bill No. 1254

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

CHU, Chair

ASSEMBLY BILL NO. 196—An act to add Sections 99183, 99184, and 99185 to, and to repeal and add Sections 99180, 99181, and 99182 of, the Education Code, relating to postsecondary education.

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

ASSEMBLY BILL NO. 1144—An act to amend Sections 115725, 115730, 115735, 115745, and 115750 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. 1254—An act to add Article 6.5 (commencing with Section 8234) to Chapter 2 of Part 6 of the Education Code, relating to preschool.

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

AUTHOR'S AMENDMENTS
Committee on Housing and Community Development

April 25, 2005

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

Assembly Bill No. 712	Assembly Bill No. 1461
Assembly Bill No. 770	Assembly Bill No. 1606

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

MULLIN, Chair

ASSEMBLY BILL NO. 712—An act to amend Section 65863 of the Government Code, relating to land use.

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

ASSEMBLY BILL NO. 770—An act to amend Sections 1369.510 and 1373 of, to add Section 1363.7 to, and to add Chapter 11 (commencing with Section 1380.010) to Title 6 of Part 4 of Division 2 of, the Civil Code, relating to common interest developments, 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. 1461—An act to amend Sections 50825 and 50826 of, and to amend, repeal, and add Sections 50832 and 50833 of, the Health and Safety Code, relating to community development.

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

ASSEMBLY BILL NO. 1606—An act relating to redevelopment.

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 Appropriations

April 25, 2005

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

Assembly Bill No. 273

Assembly Bill No. 346

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

CHU, Chair

ASSEMBLY BILL NO. 273—An act to add Section 25621 to 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.

ASSEMBLY BILL NO. 346—An act relating to state claims.

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 25, 2005

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

Assembly Bill No. 310

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

CALDERON, Chair

ASSEMBLY BILL NO. 310—An act to add Sections 1714.12 and 1714.13 to the Civil Code, relating to 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 Agriculture

April 25, 2005

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

Assembly Bill No. 1147

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

MATTHEWS, Chair

ASSEMBLY BILL NO. 1147—An act to add Division 26 (commencing with Section 81100) to the Food and Agricultural Code, relating to industrial hemp.

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 25, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 521

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

VARGAS, Chair

ASSEMBLY BILL NO. 521—An act 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.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

April 25, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 371

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

WOLK, Chair

ASSEMBLY BILL NO. 371—An act to amend Section 5415 of the Health and Safety Code, and to amend Sections 13260, 13521, and 13523 of, and to add Sections 13552.1, 13552.5, 13555.5, and 13557 to, the Water Code, relating to water.

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

AUTHOR'S AMENDMENTS
Committee on Business and Professions

April 25, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 1539

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

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1539—An act to amend Section 8205 of the Government Code, relating to notaries public.

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 25, 2005

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

- Assembly Bill No. 467
- Assembly Bill No. 1131
- Assembly Bill No. 1316

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

CHAN, Chair

ASSEMBLY BILL NO. 467—An act 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. 1131—An act to amend Section 32126 of, and to repeal and amend Section 32121 of, 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. 1316—An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, 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.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Rules reports:

- Assembly Concurrent Resolution No. 3

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Committee on Insurance

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Insurance reports:

- Assembly Bill No. 608

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

VARGAS, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

- Assembly Bill No. 578
- Assembly Bill No. 679

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

OROPEZA, Chair

Above bills ordered to second reading.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1149

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.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 626

Assembly Bill No. 1047

Assembly Bill No. 688

Assembly Bill No. 1698

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

CHAN, Chair

Above bills ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 779

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

CHAN, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1126

Assembly Bill No. 1180

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

JEROME HORTON, Chair

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 496

With the recommendation: Do pass, as amended.

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

JONES, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 771

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

HANCOCK, Chair

Above bill re-referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

Senate Chamber, April 25, 2005

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

Assembly Concurrent Resolution No. 17

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

Above resolution ordered enrolled.

Senate Chamber, April 25, 2005

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

Senate Bill No. 39
Senate Bill No. 48
Senate Bill No. 268
Senate Bill No. 276
Senate Bill No. 295
Senate Bill No. 370

Senate Bill No. 389
Senate Bill No. 647
Senate Bill No. 720
Senate Bill No. 983
Senate Bill No. 987

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

Senate Chamber, April 25, 2005

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

Senate Bill No. 253
Senate Bill No. 496
Senate Bill No. 742
Senate Bill No. 784

Senate Bill No. 979
Senate Bill No. 982
Senate Bill No. 1047

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

Senate Chamber, April 25, 2005

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

Senate Concurrent Resolution No. 19
Senate Concurrent Resolution No. 28

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. 39—An act to amend Section 3206 of the Elections Code, relating to absentee voting.

SENATE BILL NO. 48—An act to amend Section 12316 of the Penal Code, relating to ammunition.

SENATE BILL NO. 268—An act to amend Section 53601.7 of the Government Code, relating to local agencies.

SENATE BILL NO. 276—An act to add Section 23058 to the Business and Professions Code, relating to alcoholic beverages.

SENATE BILL NO. 295—An act to amend Sections 6047.13, 6047.29, and 6047.68 of, and to amend and renumber Section 6047.35 of, the Food and Agricultural Code, relating to agriculture, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 370—An act to amend Sections 12223 and 15627 of, and to add Section 19253 to, the Elections Code, relating to elections.

SENATE BILL NO. 389—An act to add Section 13083 to the Financial Code, relating to automated teller machines.

SENATE BILL NO. 647—An act to amend Sections 3063.5 and 11105 of the Penal Code, relating to parole revocation, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 720—An act to amend Section 1218 of the Code of Civil Procedure, to amend Section 6380 of the Family Code, and to amend Section 136.2 of the Penal Code, relating to court orders.

SENATE BILL NO. 983—An act to amend Sections 66452.8 and 66452.9 of the Government Code, relating to subdivided lands.

SENATE BILL NO. 987—An act to amend Sections 131010, 131100, 131103, 131241, and 131285 of the Public Utilities Code, relating to transportation.

SENATE BILL NO. 253—An act to amend Section 798.3 of the Civil Code, to amend Sections 65583, 65584.1, and 66016 of, and to repeal Sections 65586 and 65588.1 of, the Government Code, and to amend Sections 18070.3, 18070.6, 18400.3, and 18867 of, and to repeal Section 333324.20 of, the Health and Safety Code, relating to housing.

SENATE BILL NO. 496—An act to amend Section 14132.47 of the Welfare and Institutions Code, relating to Medi-Cal.

SENATE BILL NO. 742—An act to amend Section 3 of Chapter 1086 of the Statutes of 1970, relating to tidelands and submerged lands of the City of Eureka.

SENATE BILL NO. 784—An act to amend Section 82015 of the Government Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 979—An act to amend Sections 115843.3 and 115843.5 of the Health and Safety Code, relating to reservoirs, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 982—An act to amend Section 25197.1 of the Health and Safety Code, relating to hazardous waste.

SENATE BILL NO. 1047—An act to amend Section 7711 of the Public Utilities Code, relating to railroad corporations.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 19—Relative to the Robert Mondavi Highway.

SENATE CONCURRENT RESOLUTION NO. 28—Relative to Nathan Shapell Highway.

INTRODUCTION OF GUESTS

Assembly Member Haynes, of the 66th Assembly District, introduced Riverside and San Diego Counties Valley Center Republican Women members: Felicia Anne Penney, Sophomore, Samatha Parsely, Sophomore, Heather Hayes, Junior, Madeline Hayes, Junior, Lauren Nybye, Junior, Jennifer Stinson, Junior, Erica Tobin, Junior, President of our Teenage Republican Club, Peg Ohlson, President, Valley Center Republican Women, and Marcia Townsend, Past President, VCFRW.

Assembly Member Nation, of the 6th Assembly District, introduced Nicholas Hromalik.

Assembly Member Leno, of the 13th Assembly District, introduced fourth and fifth grade students from Cabrillo Elementary School in San Francisco.

ADJOURNMENT

At 5:10 p.m., pursuant to the motion by Assembly Member Lieber, the Assembly adjourned until 7 a.m., Tuesday, April 26, 2005, out of respect to the memory of Mark Robertson, on motion of Assembly Member Emmerson; out of respect to the memory of Thomas Soji Akiyama, on motion of Assembly Member Goldberg; out of respect to the memory of Andrew Thibeault, on motion of Assembly Member Wyland; out of respect to the memory of Russell H. Clagg, on motion of Assembly Members Aghazarian and Blakeslee; out of respect to the memory of Megan Cope, on motion of Assembly Member Bogh; out of respect to the memory of Former L.A. County Supervisor Deane Dana, on motion of Speaker pro Tempore Yee on behalf of Assembly Member Gordon; out of respect to the memory of Sgt. Anthony J. Davis, Jr., on motion of Assembly Member Karnette; out of respect to the memory of Robert Francis Ritter, on motion of Assembly Member Levine; out of respect to the memory of Sister Mary of Nazareth (Mary Caroline Lasken), on motion of Speaker pro Tempore Yee; and out of respect to the memory of Gary H. Magnelli, Ralph Mack, Charlotte Loftis, Dale Marlow Winger and Raymond Frank Hamilton, on motion of Assembly Member Wolk.

LELAND Y. YEE, Speaker pro Tempore

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 25, 2005

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

AB	RN	AB	RN
8	0512158	929	0512488
14	0512044	980	0512611
30	0512374	984	0512170
66	0511988	998	0511743
87	0512497	1131	0512644
196	0511248	1144	0512307
203	0512183	1147	0512465
273	0512337	1158	0512291
310	0512597	1238	0512363
346	0511443	1254	0510680
371	0512538	1316	0512403
393	0512309	1346	0512020
436	0509144	1352	0512241
467	0510820	1445	0512495
521	0511904	1461	0512703
551	0511942	1539	0512013
581	0511762	1548	0512474
607	0512315	1562	0512258
681	0512487	1606	0512562
690	0511684	1625	0512195
712	0512123	1637	0512079
766	0512281	1645	0510864
770	0512625	1665	0512114
802	0512400	1711	0512492
858	0512329		

Daily Total:	49
Cumulative Total:	1141