

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, May 23, 2005**

**SEVENTY-FIFTH SESSION DAY**

**ONE HUNDRED SIXTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

(Please Direct Any Inquiries and Report Any Omissions or Errors to  
Sue Parker, Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, May 23, 2005

The Assembly met at 11:02 a.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 Cogdill moved a quorum call of the Assembly.  
Motion carried.  
At 11:03 a.m., Speaker pro Tempore Yee placed a quorum call upon  
the Assembly.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 11:13 a.m., Speaker pro Tempore Yee declared a quorum of the  
Assembly present.  
The roll call was completed, and the following answered to their  
names—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       | Torrco        |
| 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         |               |

**PRAYER**

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

*Lord, You give strength to everyone who believes in You and You bless them with peace. Help us to stay focused on You and the good plan You have for us in our lives. Remind us that Your word is truly Good News to all who hear it, because it has the power to change lives. Fill our hearts with the promise of victory today and forever.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Yee, Assembly Member Torrico then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of illness: Assembly Member Gordon.*

**COMMUNICATIONS**

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

May 23, 2005

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

RE: Appointment of Gene Mullin  
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Gene Mullin to the State Allocation Board for May 25, 2005 only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

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

**Explanation of Vote—Assembly Bill No. 570**

May 19, 2005

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

Dear Mr. Wilson: On May 19, 2005, I intended to make a vote change from “Aye” to “not voting” on File Item 84, AB 570 (Villines). I had a

limited time to board a departing flight to my district and inadvertently left the Assembly Chambers prior to signing the vote change log.

Thank you for your consideration regarding this matter.

Sincerely,

KAREN BASS, Assembly Member  
Forty-seventh District

**COMMUNICATIONS**  
**Qualified Initiatives**

The following qualified initiative was received by the Chief Clerk from:

Bruce McPherson, Secretary of State, dated May 16, 2005, transmitting a copy of the following initiative, which has qualified for the next Statewide Election:

**Termination of Minor's Pregnancy.  
Waiting Period and Parental Notification.  
Initiative Constitutional Amendment.**

Referred pursuant to the Elections Code, Section 9034, to the Committees on Health, Judiciary, and Elections and Redistricting.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 23, 2005

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

Assembly Bill No. 605

Assembly Bill No. 862

Assembly Bill No. 709

Assembly Bill No. 1075

Assembly Bill No. 738

Assembly Bill No. 1533

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 23, 2005

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

Assembly Concurrent Resolution No. 50

Assembly Concurrent Resolution No. 69

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, May 23, 2005

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

Assembly Concurrent Resolution No. 48

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 23, 2005

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

Assembly Bill No. 66

Assembly Bill No. 528

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 23, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 66  
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly Constitutional*

| <i>Amendment No.</i> | <i>Committee</i> |
|----------------------|------------------|
| 19 -----             | Budget and Rls.  |

*Senate*

| <i>Bill No.</i> | <i>Committee</i> |
|-----------------|------------------|
| 124 -----       | G.O.             |
| 135 -----       | L. Gov.          |
| 220 -----       | G.O.             |
| 303 -----       | Agri.            |
| 372 -----       | Trans.           |
| 610 -----       | Rev. & Tax.      |
| 618 -----       | Pub. S.          |
| 679 -----       | Hum. S.          |
| 683 -----       | B. & P.          |
| 684 -----       | Ed.              |
| 701 -----       | Hum. S.          |
| 731 -----       | Trans.           |
| 746 -----       | G.O.             |
| 752 -----       | B. & P.          |
| 765 -----       | H. & C.D.        |
| 800 -----       | Trans.           |
| 875 -----       | Ed.              |
| 906 -----       | G.O.             |
| 967 -----       | L. Gov.          |
| 1036 -----      | Trans.           |
| 1103 -----      | W.,P. & W.       |
| 1106 -----      | Nat. Res.        |

**AUTHOR'S AMENDMENTS**

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

May 23, 2005

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

Assembly Concurrent Resolution No. 64

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

CHAVEZ, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 64**—Relative to Entertainment Ratings and Labeling Awareness Month.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Elections and Redistricting**

May 23, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:  
 Senate Bill No. 39

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

UMBERG, Chair

**SENATE BILL NO. 39**—An act to amend Section 3206 of the Elections Code, relating to absentee 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.

**NOTICE OF INTENTION TO REMOVE BILL  
 FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Ridley-Thomas announced his intention to request that Assembly Bill No. 795 be removed from the inactive file.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 1334**, on request of Assembly Member Salinas.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Assembly Member Wolk was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 2473**

May 18, 2005

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
 State Capitol, Room 3196  
 Sacramento, California*

Dear Mr. Wilson,

This letter is to clarify the authors' intent of AB 2473, Chapter 789, Statute of 2004.

AB 2473 was introduced to define reasonable restrictions for solar energy systems which would create a middle ground between disallowing their use altogether, and allowing any and all system installations. Existing law permits reasonable restrictions on a solar energy system that do not "significantly," as defined, increase the cost of the system or decrease its efficiency or specified performance. AB 2473 redefined the term "significantly," amending Section 714(d) of the Civil Code to read:

"(1)(A) For solar domestic water heating systems or solar swimming pool heating systems that comply with state and federal law, "significantly" means an amount exceeding 20 percent of the cost of the system or decreasing the efficiency of the solar energy system by an amount exceeding 20 percent, as originally specified and proposed.

(B) For photovoltaic systems that comply with state and federal law, "significantly" means an amount not to exceed two thousand dollars (\$2,000) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 20 percent as originally specified and proposed."

Section 714 of the Civil Code was originally signed into law to be primarily applicable to Home Owner Associations, and my intention was that the same applicability remain in the law as amended by AB 2473. AB 2473 further requires cities and counties to administratively approve applications to install solar energy systems by issuing building permits or similar nondiscretionary permits. Local building officials may require 'use permits' if they have a good faith belief that there is a specific, adverse public health and safety impact resulting from the use of solar energy systems as defined.

The intent of this letter is to provide guidance to local jurisdictions, which are responsible for the implementation and oversight of AB 2473, to ensure that its implementation reflects the true intent and spirit of this important new law.

Sincerely,

LOIS WOLK, Assembly Member  
Eighth District

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

**ASSEMBLY BILL NO. 87**—An act to amend Sections 8564, 8565, and 8565.5 of the Business and Professions Code, and to amend Section 4005 of the Fish and Game Code, and to amend Sections 11702, 12203, and 14153 of the Food and Agricultural Code, relating to trapping licenses.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 283**—An act to add Section 11100.01 to the Health and Safety Code, relating to controlled substances.

Bill read second time, and ordered to second reading.

**ASSEMBLY BILL NO. 310**—An act to add Chapter 11 (commencing with Section 19999.8) to Part 2.6 of Division 5 of Title 2 of the Government Code, relating to investments.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 356**—An act to add Sections 1389.25 and 1389.3 to the Health and Safety Code, and to add Sections 10113.9 and 10113.95 to the Insurance Code, relating to health care coverage.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 399**—An act to amend Sections 41821 and 41850 of, and to add Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, the Public Resources Code, relating to recycling.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 427**—An act to add Section 4453.1 to the Labor Code, relating to workers' compensation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 452**—An act to add Section 97 to, and to add and repeal Section 97.2 of, the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 556**—An act to add Article 6 (commencing with Section 21691) to Chapter 4 of Part 1 of Division 9 of the Public Utilities Code, relating to aeronautics.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 585**—An act to amend Sections 22900, 22901, 22902, 22903, 22904, 22905, 22906, 22907, 22908, 22909, 22910, 22911, 22913, 22915, 22920, 22922, 22924, 22925, 22926, and 22927 of, to amend the heading of Chapter 28 (commencing with Section 22900) of Division 8 of, and to add Sections 22903.1, 22903.2, and 22903.3 to, the Business and Professions Code, relating to dealers.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 646**—An act to amend Section 19.8 of, and to add Section 652 to, the Penal Code, relating to body piercing.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 715**—An act relating to forestry.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 729**—An act to amend Sections 510, 1647.5, 1720, 1746, 1748, 1775.2, 1775.4, 1775.5, 12921.1, 12921.15, and 12921.3 of, and to add Sections 1681.5, 1736.5, and 1746.1 to, the Insurance Code, and to amend Section 12636.5 of, and to repeal Section 12253.5 of, the Revenue and Taxation Code, relating to insurance production agencies.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 771**—An act to amend Section 11430.30 of the Government Code, and to amend Sections 30319, 30320, 30321, 30322, and 30326 of, and to repeal Sections 30324, 30327, and 30329 of, the Public Resources Code, relating to coastal resources.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 804**—An act to add Section 21431 to the Government Code, to amend Sections 3762 and 4658.6 of the Labor Code, and to amend Section 1543 of the Penal Code, relating to the California Highway Patrol.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 853**—An act to amend Section 706.074 of the Code of Civil Procedure, relating to tax liens.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 889**—An act to amend Sections 12015.3, 12015.5, 12240, and 12246 of the Business and Professions Code, relating to weights and measures.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 901**—An act to amend Section 4970 of, and to add Section 4974.1 to, the Financial Code, and to amend Section 27388 of the Government Code, relating to loans.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 927**—An act to amend Sections 8208, 8235, 8236, 8237, and 8263 of, to amend the heading of Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of, and to add Article 7.5 (commencing with Section 8237.1) to Chapter 2 of Part 6 of, the Education Code, relating to early education, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 970**—An act to amend Section 17317 of the Education Code, relating to school facilities.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1029**—An act to amend Section 30101.7 of the Revenue and Taxation Code, relating to cigarettes and tobacco products.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1086**—An act to add Section 38301.3 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.



**ASSEMBLY BILL NO. 1128**—An act to amend Section 13207 of the Water Code, relating to water.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1221**—An act to amend Section 39510 of the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1358**—An act to amend Section 17215 of the Education Code, relating to school facilities.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1380**—An act to add Section 7945 to the Public Utilities Code, relating to telecommunications.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1496**—An act to add Section 33318.5 to the Education Code, relating to pupils.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1542**—An act to amend Section 1170.9 of the Penal Code, relating to sentencing.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1593**—An act to add Section 123326 to the Health and Safety Code, relating to child nutrition.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1753**—An act to amend Section 19854 of the Business and Professions Code, and to amend Sections 330.9, 332, 337a, 337d, 337j, and 337z of the Penal Code, relating to gambling.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1760**—An act to amend Sections 10234.6, 10089.79, 11691, 11692, 11692.5, 11693, and 11694 of, to add Section 11694.5 to, and to repeal Section 1660 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 245**—An act to add and repeal Section 20133.5 of the Public Contract Code, relating to public contracts.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 312**—An act to amend Section 1326 of the Penal Code, relating to subpoenas.

Bill read second time, and ordered to Consent Calendar.

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

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 403**—An act to amend Section 25503.5 of the Health and Safety Code, relating to hazardous materials.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 416**—An act to amend Sections 38131, 38133, and 38134 of the Education Code, relating to schools.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 495**—An act to amend Section 13385.1 of the Water Code, relating to water.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 520**—An act to amend Section 43003 of, and to add Section 885 to, the Food and Agricultural Code, relating to civil administrative penalties.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 521**—An act to amend Section 1872.83 of the Insurance Code, relating to workers' compensation.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 574**—An act to add Division 12.3 (commencing with Section 16000) to the Public Resources Code, relating to recycled concrete.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 728**—An act to amend Section 2827.9 of the Public Utilities Code, relating to electricity.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 881**—An act to amend, repeal, and add Section 7125 of the Business and Professions Code, and to add and repeal Section 11665 of the Insurance Code, relating to workers' compensation.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 963**—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1031**—An act to amend Section 7232 of the Revenue and Taxation Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1043**—An act to amend Section 481.5 of, and to repeal Section 393 of, the Insurance Code, relating to insurance premiums.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1165**—An act to amend Section 25519 of the Public Resources Code, relating to energy resources.

Bill read second time, and ordered to Consent Calendar.

**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 125450, and 125500 to, and to repeal Sections 125300 and 125301 of, the Public Utilities Code, relating to transportation.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1348**—An act to add and repeal Section 379.7 of the Public Utilities Code, relating to electricity.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1353**—An act to amend Section 11837 of the Health and Safety Code, and to amend Sections 23538 and 23556 of the Vehicle Code, relating to driving under the influence.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1434**—An act to amend Sections 1725 and 1726 of the Health and Safety Code, relating to home health agencies.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1508**—An act to amend Sections 52254, 52260, 52351, 52354, 52361, 52391, 52451, 52453, 52455, 52481, 52482, 52483, 52484, 52487, and 52511 of the Food and Agricultural Code, relating to agriculture.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1570**—An act to add Section 44253.75 to the Education Code, relating to teacher credentialing.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1610**—An act to amend Sections 47605 and 47612.5 of, and to add Section 47612.6 to, the Education Code, relating to charter schools.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1631**—An act to amend Sections 19136 and 19142 of, to add Section 19136.12 to, and to repeal Sections 19136.3, 19136.4, 19136.6, 19136.8, and 19136.11 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1640**—An act to add Section 791.28 to the Insurance Code, relating to insurance claims information.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1661**—An act to amend Sections 12100, 12106, 12108, 12110, 12111, 12112, 12114, 12115, 12116, 12119, and 12121 of the Insurance Code, relating to financial guaranty insurance.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1683**—An act to add Section 6608.7 to the Welfare and Institutions Code, relating to sex offenders.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1705**—An act to amend Section 4526 of the Public Resources Code, relating to forestry.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1749**—An act to amend Sections 22978.4, 22978.7, 22979.2, and 22979.7 of the Business and Professions Code, and to add Section 30361.5 to the Revenue and Taxation Code, relating to cigarettes and tobacco products.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1235**—An act to amend Section 1337.6 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. 1169**—An act to amend Sections 241.3, and 243.3 of, and to add Section 241.35 to, the Penal Code, relating to crimes against transit district operators.

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. 224**—An act to amend Sections 22115.2, 22662, 22663, 22703, 22705, 22705.5, 23001, 23104, 23202, 23300, 24005, 24105, 24204, 24214, 24216, 24219, 24306.5, 24306.7, 24307, 24311, 24312, 24400, 24410.6, 24613, 24701, 24704, 24750, 24751, and 27100 of the Education Code, relating to teachers' retirement.

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. 736**—An act to amend Sections 851 and 853 of the Public Utilities Code, relating to the regulation of public utilities.

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. 6**—An act to amend Sections 17041 and 17062 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 23, 2005

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

Assembly Bill No. 1029

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 23, 2005

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

Assembly Bill No. 1749

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

#### **CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS**

#### **MOTION TO RECONSIDER ASSEMBLY BILL NO. 802 CONTINUED**

Assembly Member Wolk was granted unanimous consent that the motion to reconsider the vote on Assembly Bill No. 802 be continued until the next legislative day.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1595 (Evans)**—An act to amend Section 6254.21 of the Government Code, relating to public officials.

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

**AYES—75**

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

**NOES—3**

|           |         |        |
|-----------|---------|--------|
| Blakeslee | Daucher | Haynes |
|-----------|---------|--------|

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1001 (Nava)**—An act to add Section 42703 to the Public Resources Code, relating to recycling.

Bill read third time.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Nava moved a call of the Assembly.

Motion carried. Time, 11:22 a.m.

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

**ASSEMBLY BILL NO. 1614 (Klehs)**—An act to amend Section 214 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Klehs moved a call of the Assembly.

Motion carried. Time, 11:27 a.m.

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

**ASSEMBLY BILL NO. 1433 (Emmerson)**—An act to amend Section 5922 of the Government Code, relating to public finance.

Bill read third time.

**Motion to Amend**

Assembly Member Emmerson moved the adoption of amendments.

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

**ASSEMBLY BILL NO. 605 (Nakanishi)**—An act to amend Section 48900 of the Education Code, relating to pupil rights.

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

**AYES—76**

|             |                 |                |               |
|-------------|-----------------|----------------|---------------|
| Aghazarian  | Dymally         | Laird          | Plescia       |
| Baca        | Emmerson        | Leno           | Richman       |
| Bass        | Evans           | Leslie         | Ridley-Thomas |
| Benoit      | Frommer         | Levine         | Runner        |
| Berg        | Garcia          | Liu            | Ruskin        |
| Bermúdez    | Goldberg        | 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      |
| Cohn        | Keene           | Negrete McLeod | Walters       |
| Coto        | Klehs           | Niello         | Wolk          |
| Daucher     | Koretz          | Oropeza        | Wyland        |
| De La Torre | La Malfa        | Parra          | Yee           |
| DeVore      | La Suer         | Pavley         | Mr. Speaker   |

**NOES—1**

Arambula

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 879 (Torrico)**—An act to amend Sections 98, 98.2, and 26731.1 of the Labor Code, relating to employment.

Bill read third time.

**Motion to Amend**

Assembly Member Torrico moved the adoption of amendments.

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

**ASSEMBLY BILL NO. 1664 (Gordon)**—An act to add Sections 23 and 24 to the Financial Code, and to amend Section 7480 of the Government Code, relating to elder abuse reporting.

Bill read third time.

**Motion to Amend by Assembly Member Calderon  
on Behalf of Assembly Member Gordon**

Assembly Member Calderon moved the adoption of amendments.

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

**RECESS**

By unanimous consent, at 11:32 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Levine introduced the 2005 United States Academic Decathlon Champions from El Camino High School in Woodland Hills. The following team members were present: Brian Hwang, Kevin Rosenberg, Sean Follmer, Lindsay Gibbs, Jihwan Kim, Benjamin Farahmand, and Micah Roth. The students were accompanied by their coaches: Christian Cerone and Lissa Gregorio and Principal Ken Lee, Executive Director of the U.S. Academic Decathlon, Dr. Les Martisko and representatives from the Los Angeles Unified School District.

**RECONVENED**

At 11:34 a.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**ASSEMBLY BILL NO. 1075 (Blakeslee)**—An act to amend Sections 101680, 101685, 101750, 101755, and 101765 of, and to repeal Section 101785 of, the Health and Safety Code, relating to health care.

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

**AYES—78**

|             |                 |                |               |
|-------------|-----------------|----------------|---------------|
| Aghazarian  | Dymally         | Leno           | Richman       |
| Arambula    | Emmerson        | Leslie         | Ridley-Thomas |
| Baca        | Evans           | Levine         | Runner        |
| Bass        | Frommer         | Lieber         | Ruskin        |
| Benoit      | Garcia          | Liu            | Saldaña       |
| Berg        | Goldberg        | Matthews       | Salinas       |
| Bermúdez    | Hancock         | Maze           | Spitzer       |
| Blakeslee   | Harman          | McCarthy       | Strickland    |
| Bogh        | Haynes          | 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          |
| Cohn        | Klehs           | Niello         | Wyland        |
| Coto        | Koretz          | Oropeza        | Yee           |
| Daucher     | La Malfa        | Parra          | Mr. Speaker   |
| De La Torre | La Suer         | Pavley         |               |
| DeVore      | Laird           | Plescia        |               |

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1585 (Blakeslee)**—An act to add Section 25752 to the Public Resources Code, relating to energy resources.

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

**AYES—77**

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

**NOES—1**

La Suer

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1767 (Committee on Revenue and Taxation)**—An act to amend Sections 17049, 18670, 19950, and 21018 of, and to add Section 19136.7 to, the Revenue and Taxation Code, relating to taxation.

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

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Klehs moved a call of the Assembly.

Motion carried. Time, 11:38 a.m.

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



**ASSEMBLY CONCURRENT RESOLUTION NO. 59 (Baca)**—Relative to California Native American Indian History Month.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 59**

Assembly Member Baca was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 59.

**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, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Núñez, 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 Baca was granted unanimous consent to take up Assembly Concurrent Resolution No. 59, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 59, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 59**—Relative to California Native American Indian History Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ASSEMBLY BILL NO. 1536 (Bass)**—An act to amend Section 830.7 of the Penal Code, relating to peace officer powers.

Bill read third time.

**Motion to Amend**

Assembly Member Bass moved the adoption of amendments.

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

**ASSEMBLY BILL NO. 302 (Committee on Business and Professions)**—An act to add Section 10290.4 to the Public Contract Code, relating to state surplus personal property sales, and making an appropriation therefor.

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

**AYES—78**

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

**NOES—1**

Mountjoy

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 971 (Jerome Horton)**—An act to add Section 13604 to the Penal Code, relating to corrections.

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

**AYES—72**

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

**NOES—6**

|        |         |         |
|--------|---------|---------|
| DeVore | La Suer | Niello  |
| Haynes | Leslie  | Walters |

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 971: Assembly Member Runner from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1095 (Mullin)**—An act to add Section 8274 to the Education Code, relating to child care.

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

**AYES—78**

|             |                 |                |               |
|-------------|-----------------|----------------|---------------|
| Aghazarian  | Dymally         | Leno           | Richman       |
| Arambula    | Emmerson        | Leslie         | Ridley-Thomas |
| Baca        | Evans           | Levine         | Runner        |
| Bass        | Frommer         | Lieber         | Ruskin        |
| Benoit      | Garcia          | Liu            | Saldaña       |
| Berg        | Goldberg        | Matthews       | Salinas       |
| Bermúdez    | Hancock         | Maze           | Spitzer       |
| Blakeslee   | Harman          | McCarthy       | Strickland    |
| Bogh        | Horton, Jerome  | Montañez       | Torrigo       |
| 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          |
| Cohn        | Klehs           | Niello         | Wyland        |
| Coto        | Koretz          | Oropeza        | Yee           |
| Daucher     | La Malfa        | Parra          | Mr. Speaker   |
| De La Torre | La Suer         | Pavley         |               |
| DeVore      | Laird           | Plescía        |               |

**NOES—1**

Haynes

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1548 (Pavley)**—An act to add Sections 60063 and 60064 to the Education Code, relating to instructional materials.

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

**AYES—59**

|             |                 |                |               |
|-------------|-----------------|----------------|---------------|
| Arambula    | Dymally         | Laird          | Richman       |
| Baca        | Emmerson        | Leno           | Ridley-Thomas |
| Bass        | Evans           | Levine         | Ruskin        |
| Berg        | Frommer         | Lieber         | Saldaña       |
| Bermúdez    | Garcia          | Liu            | Salinas       |
| Blakeslee   | Goldberg        | Matthews       | Spitzer       |
| Calderon    | Hancock         | Montañez       | Torrigo       |
| Canciamilla | Harman          | Mullin         | Tran          |
| Chan        | Horton, Jerome  | Nakanishi      | Umberg        |
| Chavez      | Horton, Shirley | Nation         | Vargas        |
| Chu         | Huff            | Nava           | Wolk          |
| Cohn        | Jones           | Negrete McLeod | Wyland        |
| Coto        | Karnette        | Oropeza        | Yee           |
| Daucher     | Klehs           | Parra          | Mr. Speaker   |
| De La Torre | Koretz          | Pavley         |               |

**NOES—18**

|            |          |          |            |
|------------|----------|----------|------------|
| Aghazarian | Houston  | McCarthy | Strickland |
| Bogh       | Keene    | Mountjoy | Villines   |
| Cogdill    | La Malfa | Niello   | Walters    |
| DeVore     | La Suer  | Plescía  |            |
| Haynes     | Maze     | Runner   |            |

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 910 (Mullin)**—An act to add Section 13984 to the Government Code, relating to life sciences.

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

**AYES—58**

|             |                 |                |               |
|-------------|-----------------|----------------|---------------|
| Arambula    | Dymally         | Leno           | Richman       |
| Baca        | Evans           | Levine         | Ridley-Thomas |
| Bass        | Frommer         | Lieber         | Ruskin        |
| Berg        | Garcia          | Liu            | Saldaña       |
| Bermúdez    | Goldberg        | Matthews       | Salinas       |
| Blakeslee   | Hancock         | McCarthy       | Spitzer       |
| Calderon    | Harman          | Montañez       | Torrico       |
| Canciamilla | Horton, Jerome  | Mullin         | Umberg        |
| Chan        | Horton, Shirley | Nation         | Vargas        |
| Chavez      | Houston         | Nava           | Wolk          |
| Chu         | Jones           | Negrete McLeod | Wyland        |
| Cohn        | Karnette        | Oropeza        | Yee           |
| Coto        | Klehns          | Parra          | Mr. Speaker   |
| Daucher     | Koretz          | Pavley         |               |
| De La Torre | Laird           | Plescia        |               |

**NOES—19**

|            |          |           |            |
|------------|----------|-----------|------------|
| Aghazarian | Haynes   | Leslie    | Runner     |
| Benoit     | Huff     | Maze      | Strickland |
| Bogh       | Keene    | Mountjoy  | Villines   |
| Cogdill    | La Malfa | Nakanishi | Walters    |
| DeVore     | La Suer  | Niello    |            |

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 575 (Wolk)**—An act to amend Sections 42463, 42464, and 42464.2 of, and to add Section 42464.8 to, the Public Resources Code, relating to electronic waste.

Bill read third time.

**Motion to Amend**

Assembly Member Wolk moved the adoption of amendments.

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

**ASSEMBLY BILL NO. 1517 (Runner)**—An act to amend Section 11105 of the Penal Code, relating to crimes.

Bill read third time.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Runner moved a call of the Assembly.

Motion carried. Time, 11:55 a.m.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 50 (Tran)**—Relative to Pope John Paul II.

Resolution read third time.

**Motion to Amend**

Assembly Member Tran moved the adoption of amendments.

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

**ASSEMBLY BILL NO. 1576 (Nunez)**—An act to add Section 454.6 to the Public Utilities Code, relating to public utilities.

Bill read third time.

**Motion to Amend by Assembly Member Levine  
on Behalf of Assembly Member Núñez**

Assembly Member Levine moved the adoption of amendments.

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

**ASSEMBLY BILL NO. 54 (Negrete McLeod)**—An act to amend Section 11011.21 of the Government Code, to amend Section 12 of Chapter 1087 of the Statutes of 1985, to amend Section 10 of Chapter 974 of the Statutes of 2002, and to repeal Chapter 761 of the Statutes of 2001, relating to state property, and making an appropriation therefor.

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

**AYES—78**

|             |                 |                |               |
|-------------|-----------------|----------------|---------------|
| Aghazarian  | Dymally         | Leno           | Richman       |
| Arambula    | Emmerson        | Leslie         | Ridley-Thomas |
| Baca        | Frommer         | Levine         | Runner        |
| Bass        | Garcia          | Lieber         | Ruskin        |
| Benoit      | Goldberg        | 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          |
| Cohn        | Klehs           | Niello         | Wyland        |
| Coto        | Koretz          | Oropeza        | Yee           |
| Daucher     | La Malfa        | Parra          | Mr. Speaker   |
| De La Torre | La Suer         | Pavley         |               |
| DeVore      | Laird           | Plescia        |               |

**NOES—1**

Evans

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1446 (Karnette)**—An act to amend Section 2912 and 5028 of the Penal Code, relating to foreign prisoners.

Bill read third time.

**Assembly Bill No. 1446 Passed and Retained**

By unanimous consent, Assembly Bill No. 1446 was passed on file, to retain its place on file.

**CAUCUS ANNOUNCEMENTS**

At 12:12 p.m., Assembly Member Ridley-Thomas was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

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

**RECONVENED**

At 12:32 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 BILL NO. 322 (Oropeza)**—An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

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

**AYES—77**

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

**NOES—2**

Haynes                      La Suer

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 169 (Oropeza)**—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

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

**AYES—46**

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

**NOES—32**

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

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 948 (Oropeza)**—An act to amend Section 20209.7 of the Public Contract Code, relating to public contracts.

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

**AYES—46**

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

**NOES—30**

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

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1194 (Oropeza)**—An act to add Section 13113.6 to the Health and Safety Code, relating to public safety.

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

**AYES—50**

|             |                |                |               |
|-------------|----------------|----------------|---------------|
| Arambula    | De La Torre    | Leno           | Ridley-Thomas |
| Baca        | Dymally        | Leslie         | Ruskin        |
| Bass        | Evans          | Levine         | Saldaña       |
| Berg        | Frommer        | Lieber         | Salinas       |
| Bermúdez    | Garcia         | Liu            | Spitzer       |
| Blakeslee   | Goldberg       | Matthews       | Torrigo       |
| Calderon    | Hancock        | Montañez       | Umberg        |
| Canciamilla | Horton, Jerome | Mullin         | Vargas        |
| Chan        | Jones          | Nation         | Wolk          |
| Chavez      | Karnette       | Negrete McLeod | Yee           |
| Chu         | Klehns         | Oropeza        | Mr. Speaker   |
| Cohn        | Koretz         | Parra          |               |
| Coto        | Laird          | Pavley         |               |

**NOES—28**

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

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)**  
**MOTION TO RECONSIDER ASSEMBLY BILL NO. 996**

In compliance with a motion given on a previous day, Assembly Member Ridley-Thomas moved that the vote be reconsidered whereby Assembly Bill No. 996 was refused passage.

Assembly Bill No. 996 reconsidered by the following vote:

**AYES—44**

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

**NOES—33**

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

**Further Consideration of Assembly Bill No. 996**

**ASSEMBLY BILL NO. 996 (Ridley-Thomas)**—An act to add Section 12317 to the Penal Code, relating to ammunition.

Bill read third time.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Mountjoy moved a call of the Assembly.

Motion carried. Time, 1 p.m.

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



**ASSEMBLY BILL NO. 1037 RECONSIDERED  
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Frommer was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 1037 was refused passage.

**Further Consideration of Assembly Bill No. 1037**

**ASSEMBLY BILL NO. 1037 (Frommer)**—An act to amend Section 25120 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

**AYES—47**

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

**NOES—32**

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

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 755 (De La Torre)**—An act to amend Section 226.7 of the Labor Code, relating to compensation.

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

**AYES—42**

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

**NOES—35**

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

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1118 (Umberg)**—An act to add Sections 430.5 and 10000 to the Vehicle Code, relating to vehicles.

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

**AYES—70**

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

**NOES—8**

|        |          |            |          |
|--------|----------|------------|----------|
| DeVore | La Malfa | Mountjoy   | Villines |
| Haynes | La Suer  | Strickland | Walters  |

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 459 (Oropeza)**—An act to amend Section 11010 of the Business and Professions Code, and to add Section 1102.6c to the Civil Code, relating to transfer of real property.

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

**AYES—68**

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

**NOES—8**

|        |         |          |          |
|--------|---------|----------|----------|
| Benoit | Haynes  | Matthews | Runner   |
| Harman | Houston | Plescia  | Villines |

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 459: Assembly Member Emmerson from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1310 (Nunez)**—An act to add Section 2929.5 to the Labor Code, relating to employment termination agreements.

Bill read third time.

**Motion to Amend by Assembly Member Klehs on Behalf of Assembly Member Núñez**

Assembly Member Klehs moved the adoption of amendments.

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

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

Bill read third time.

**Point of Order**

Assembly Member Goldberg arose to the following point of order: Assembly Member Mountjoy is not speaking to the merits of the bill.

**Ruling by Speaker pro Tempore Yee**

The Speaker pro Tempore ruled the point of order well-taken.

**Motion to Appeal from the Decision of the Chair**

Assembly Member Mountjoy moved to appeal from the decision of the Chair.

Assembly Member La Suer seconded the motion.

The question being: Shall the decision of the Chair that the point of order raised by Assembly Member Goldberg is well-taken be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

**AYES—31**

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

**NOES—45**

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

**Point of Order**

Assembly Member La Suer arose to the following point of order:  
The comments by Assembly Member Saldaña are not germane.

**Ruling by Speaker pro Tempore Yee**

The Speaker pro Tempore ruled the point of order not well-taken.  
The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—44**

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

**NOES—33**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 738: Assembly Member Blakeslee from "Aye" to "No".

Bill ordered transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 69 (Goldberg)**—Relative to the Boy Scouts of America.

Resolution read.

**Announcements**

Speaker pro Tempore Yee announced that according to the Assembly Rules, comments made during debate should be directed to the Presiding Officer and not at other Members.

**Assembly Rule 112 Suspended**

Assembly Member La Malfa was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

**Further Consideration of Assembly Concurrent Resolution No. 69**

The roll was opened.

Resolution adopted by the following vote:

**AYES—44**

|             |                |                |               |
|-------------|----------------|----------------|---------------|
| Baca        | Dymally        | Leno           | Pavley        |
| Bass        | Evans          | Levine         | Ridley-Thomas |
| Berg        | Frommer        | Lieber         | Ruskin        |
| Bermúdez    | Goldberg       | Liu            | Saldaña       |
| Calderon    | Hancock        | Matthews       | Salinas       |
| Canciamilla | Horton, Jerome | Montañez       | Torrico       |
| Chan        | Jones          | Mullin         | Umberg        |
| Chavez      | Karnette       | Nation         | Vargas        |
| Chu         | Kleh           | Nava           | Wolk          |
| Cohn        | Koretz         | Negrete McLeod | Yee           |
| Coto        | Laird          | Oropeza        | Mr. Speaker   |

**NOES—32**

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

Resolution ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 1195**, on request of Assembly Member Coto.

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1183 for hearing in the Committee on Appropriations on Wednesday, May 25, 2005.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1001**

At 2:12 p.m., on motion of Assembly Member Nava, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1001 passed by the following vote:

**AYES—58**

|             |                 |                |               |
|-------------|-----------------|----------------|---------------|
| Aghazarian  | Evans           | Levine         | Richman       |
| Arambula    | Frommer         | Lieber         | Ridley-Thomas |
| Baca        | Goldberg        | Liu            | Ruskin        |
| Bass        | Hancock         | Matthews       | Salinas       |
| Berg        | Harman          | Maze           | Spitzer       |
| Bermúdez    | Horton, Shirley | Montañez       | Strickland    |
| Blakeslee   | Houston         | Mullin         | Torrico       |
| Canciamilla | Huff            | Nakanishi      | Tran          |
| Chan        | Jones           | Nation         | Umberg        |
| Chavez      | Karnette        | Nava           | Vargas        |
| Chu         | Keene           | Negrete McLeod | Wolk          |
| Cohn        | Klehs           | Oropeza        | Yee           |
| Coto        | Koretz          | Parra          | Mr. Speaker   |
| De La Torre | Laird           | Pavley         |               |
| Dymally     | Leno            | Plescia        |               |

**NOES—15**

|         |          |          |          |
|---------|----------|----------|----------|
| Bogh    | Garcia   | McCarthy | Villines |
| Cogdill | La Malfa | Mountjoy | Walters  |
| Daucher | La Suer  | Niello   | Wyland   |
| DeVore  | Leslie   | Runner   |          |

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1614**

At 2:13 p.m., on motion of Assembly Member Klehs, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1614 passed by the following vote:

**AYES—44**

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

**NOES—34**

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1767**

At 2:14 p.m., on motion of Assembly Member Klehs, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1767 passed by the following vote:

**AYES—47**

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

**NOES—29**

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1517**

At 2:15 p.m., on motion of Assembly Member Runner, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Runner moved to continue the call of the Assembly.

Motion carried. Time, 2:15 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 996**

At 2:16 p.m., on motion of Assembly Member Mountjoy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Cogdill moved to continue the call of the Assembly.

Motion carried. Time, 2:16 p.m.

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

**ANNOUNCEMENTS**

Speaker pro Tempore Yee announced the following session schedule:  
Tuesday, May 24, 2005, Check-in Session, 7 a.m.–3 p.m.;  
Wednesday, May 25, 2005, Check-in Session, 7 a.m.–3 p.m. and  
Floor Session, upon call of the Speaker;  
Thursday, May 26, 2005, Floor Session, at 9:30 a.m.;  
Friday, May 27, 2005, Floor Session, at 9:30 a.m.

The Speaker pro Tempore announced that the annual panoramic picture will be taken on Wednesday, June 1, 2005.

**ADJOURN IN MEMORY**

Assembly Members Garcia and Benoit were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Timothy Jessup, of Rancho Mirage and Garold Miller Jr., of Cathedral City.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Leno was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Robert Lull, of San Francisco.

(Assembly Rule 45.5 suspended.)

**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 Bill Brownell, of Rancho Cucamonga.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Jones, of Barstow and David Lang, of Stone Mountain, GA.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pat Cimmarusti, of La Cañada Flintridge.

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 Tyler B. Dutton, of Davis; Michael Terrance Antonelli and Rinako Teranishi, of Fairfield; Thomas Francis McGann and Tommie De'Esta Widner, of Vacaville; Peggy Lee Means and Albert Probst, of Woodland.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1517**

At 2:21 p.m., on motion of Assembly Member Runner, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1517 passed by the following vote:

**AYES—42**

|             |                 |           |            |
|-------------|-----------------|-----------|------------|
| Aghazarian  | Harman          | McCarthy  | Spitzer    |
| Arambula    | Haynes          | Mountjoy  | Strickland |
| Benoit      | Horton, Shirley | Mullin    | Tran       |
| Blakeslee   | Houston         | Nakanishi | Umberg     |
| Bogh        | Huff            | Nation    | Vargas     |
| Canciamilla | Karnette        | Niello    | Villines   |
| Cogdill     | Keene           | Oropeza   | Walters    |
| Daucher     | La Malfa        | Parra     | Wolk       |
| DeVore      | La Suer         | Plescia   | Wyland     |
| Emmerson    | Leslie          | Richman   |            |
| Garcia      | Maze            | Runner    |            |

**NOES—27**

|          |                |          |          |
|----------|----------------|----------|----------|
| Baca     | Coto           | Klehs    | Montañez |
| Berg     | Dymally        | Koretz   | Nava     |
| Bermúdez | Evans          | Laird    | Pavley   |
| Calderon | Frommer        | Leno     | Ruskin   |
| Chan     | Goldberg       | Levine   | Torrico  |
| Chavez   | Hancock        | Lieber   | Yee      |
| Chu      | Horton, Jerome | Matthews |          |

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1517: Assembly Member Karnette from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 996**

At 2:21 p.m., on motion of Assembly Member Cogdill, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Cogdill moved to continue the call of the Assembly.

Motion carried. Time, 2:21 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 996**

At 2:24 p.m., on motion of Assembly Member Cogdill, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 996 passed by the following vote:

**AYES—42**

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

**NOES—37**

|            |                 |                |            |
|------------|-----------------|----------------|------------|
| Aghazarian | Harman          | Maze           | Spitzer    |
| Baca       | Haynes          | McCarthy       | Strickland |
| Benoit     | Horton, Shirley | Mountjoy       | Tran       |
| Blakeslee  | Houston         | Nakanishi      | Villines   |
| Bogh       | Huff            | Negrete McLeod | Walters    |
| Cogdill    | Keene           | Niello         | Wolk       |
| Daucher    | La Malfa        | Parra          | Wyland     |
| DeVore     | La Suer         | Plescia        |            |
| Emmerson   | Leslie          | Richman        |            |
| Garcia     | Matthews        | Runner         |            |

**Motion to Reconsider Assembly Bill No. 996  
on Next Legislative Day**

Assembly Member Cogdill moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 996 was this day passed.

**Ruling by Speaker pro Tempore Yee**

The Speaker pro Tempore ruled the motion to reconsider out of order. A second motion to reconsider the same question is not in order.

(NOTE: Reconsideration of Assembly Bill No. 996 was granted earlier today. See Assembly Daily Journal page 1670.)

Bill ordered transmitted to the Senate.

**REQUEST TO SUSPEND RULES**

Assembly Member Frommer requested unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Appropriations to meet on Wednesday, May 25, 2005, for purpose of hearing Assembly Bill No. 6.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Suspend Joint Rule 62(a)**

Assembly Member Frommer moved that Joint Rule 62(a) be suspended to permit the Committee on Appropriations to meet on Wednesday, May 25, 2005, for the purpose of hearing Assembly Bill No. 6.

Assembly Member Bass seconded the motion.

Motion for suspension of the rules carried by the following vote:

**AYES—43**

|          |                |                |               |
|----------|----------------|----------------|---------------|
| Arambula | Evans          | Levine         | Ridley-Thomas |
| Baca     | Frommer        | Lieber         | Ruskin        |
| Bass     | Goldberg       | Liu            | Saldaña       |
| Berg     | Hancock        | Matthews       | Salinas       |
| Bermúdez | Horton, Jerome | Montañez       | Torrico       |
| Chan     | Jones          | Mullin         | Umberg        |
| Chavez   | Karnette       | Nation         | Vargas        |
| Chu      | Kleh           | Nava           | Wolk          |
| Cohn     | Koretz         | Negrete McLeod | Yee           |
| Coto     | Laird          | Oropeza        | Mr. Speaker   |
| Dymally  | Leno           | Pavley         |               |

**NOES—31**

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

**VOTE ADDS**

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

**Assembly Bill No. 1595:** Bermúdez, Bogh, Calderon, Canciamilla, Chavez, Cohn, Dymally, Garcia, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Keene, Koretz, Levine, Lieber, Liu, Matthews, McCarthy, Montañez, Nakanishi, Nation, Niello, Oropeza, Parra, Pavley, Plescia, Strickland, Umberg, and Wyland—Aye; Blakeslee, Daucher, and Haynes—No.

**Assembly Bill No. 605:** Bermúdez, Bogh, Canciamilla, Chan, Chavez, Cohn, De La Torre, Evans, Haynes, Houston, Keene, Koretz, McCarthy, Nation, Nava, Oropeza, Parra, Strickland, and Umberg—Aye.

**Assembly Bill No. 1075:** Bermúdez, Bogh, Calderon, Chavez, Cohn, Haynes, Houston, Keene, La Suer, Lieber, McCarthy, Montañez, Nation, Parra, Pavley, Plescia, Strickland, and Umberg—Aye.

**Assembly Bill No. 1585:** Bermúdez, Bogh, Chavez, Cohn, De La Torre, Haynes, Houston, Keene, La Malfa, Lieber, McCarthy, Nation, Oropeza, Parra, and Umberg—Aye; La Suer—No.

**Assembly Bill No. 302:** Bass, Bogh, Chavez, Cohn, De La Torre, Evans, Haynes, Houston, Keene, Lieber, Nation, Oropeza, Parra, Plescia, Umberg, and Wyland—Aye.

**Assembly Bill No. 971:** Bogh, Chavez, Cohn, Evans, Houston, Keene, Lieber, McCarthy, Nakanishi, Nation, Oropeza, Parra, Plescia, Strickland, Umberg, and Wyland—Aye; Haynes—No.

**Assembly Bill No. 1095:** Bogh, Chavez, Cohn, Houston, Keene, Lieber, Nation, Oropeza, Parra, Umberg, and Wyland—Aye; Haynes—No.

**Assembly Bill No. 1548:** Canciamilla, Chavez, Cohn, Daucher, Garcia, Lieber, Montañez, Mullin, Nation, Oropeza, Parra, Spitzer, Umberg, and Wyland—Aye; Aghazarian, Bogh, Haynes, Houston, Keene, and Plescia—No.

**Assembly Bill No. 910:** Chavez, Cohn, Garcia, Shirley Horton, Houston, Lieber, McCarthy, Nation, Oropeza, Parra, and Umberg—Aye; Bogh, Haynes, and Keene—No.

**Assembly Bill No. 54:** Bass, Blakeslee, Bogh, Chavez, Cohn, Garcia, Haynes, Keene, La Malfa, Nation, Niello, Oropeza, and Umberg—Aye.

**Assembly Bill No. 322:** Bermúdez, Cohn, De La Torre, Evans, Garcia, Houston, Jones, Koretz, Leslie, Maze, Mullin, Nation, Umberg, and Villines—Aye; Haynes and La Suer—No.

**Assembly Bill No. 169:** Canciamilla—Aye; Blakeslee, Garcia and McCarthy—No.

**Assembly Bill No. 948:** Calderon, Canciamilla, Chan, Evans, and Laird—Aye.

**Assembly Bill No. 1194:** Evans, Garcia, Levine, and Spitzer—Aye; Keene, La Suer, Maze, and Plescia—No.

**Assembly Bill No. 996, Ridley-Thomas Motion to Reconsider:** De La Torre, Evans, and Oropeza—Aye; Spitzer—No.

**Assembly Bill No. 1037:** Chavez and Oropeza—Aye.

**Assembly Bill No. 755:** Canciamilla, Plescia, and Strickland—No.

**Assembly Bill No. 1118:** De La Torre, Emmerson, Keene, Levine, Maze, Mullin, Nakanishi, Parra, and Plescia—Aye; La Malfa, Strickland, and Villines—No.

**Assembly Bill No. 459:** Keene and Parra—Aye; Benoit and Plescia—No.

**Assembly Bill No. 738:** Parra—Aye; Canciamilla and Huff—No.

**Assembly Concurrent Resolution No. 69:** Salinas—Aye; Shirley Horton—No.

**Assembly Bill No. 1001:** Canciamilla and Houston—Aye.

**Assembly Bill No. 1614:** Canciamilla and Mullin—Aye; Houston—No.

**Assembly Bill No. 1767:** Bermúdez—Aye; McCarthy—No.

#### MOTION TO ADJOURN

At 2:28 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:29 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. 71—Saldana.** Relative to Yellow Ribbon Day.

**AUTHOR'S AMENDMENTS**  
**Committee on Elections and Redistricting**

May 23, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:  
Senate Bill No. 370

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

UMBERG, Chair

**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.

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**

May 23, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 599

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

CHU, Chair

**ASSEMBLY BILL NO. 599**—An act to amend Section 5600.3 of the Welfare and Institutions Code, relating to mental 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 Revenue and Taxation**

May 23, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 1028

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

KLEHS, Chair

**ASSEMBLY BILL NO. 1028**—An act to add and repeal Sections 17053.91 and 23649.1 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 Business and Professions**

May 23, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:  
Assembly Bill No. 1428

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

NEGRETE McLEOD, Chair

**ASSEMBLY BILL NO. 1428**—An act relating to business.

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 Appropriations**

Date of Hearing: May 18, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 924

Assembly Bill No. 1384

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

CHU, Chair

Above bills ordered to second reading.

**Committee on Rules**

Date of Hearing: May 23, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 66

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, May 23, 2005

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

Senate Bill No. 2

Senate Bill No. 20

Senate Bill No. 92

Senate Bill No. 97

Senate Bill No. 161

Senate Bill No. 192

Senate Bill No. 204

Senate Bill No. 231

Senate Bill No. 279

Senate Bill No. 308

Senate Bill No. 376

Senate Bill No. 397

Senate Bill No. 404

Senate Bill No. 418

Senate Bill No. 458

Senate Bill No. 459

Senate Bill No. 524

Senate Bill No. 608

Senate Bill No. 616

Senate Bill No. 619

Senate Bill No. 680

Senate Bill No. 709

Senate Bill No. 736

Senate Bill No. 744

Senate Bill No. 781

Senate Bill No. 872

Senate Bill No. 909

Senate Bill No. 917

Senate Bill No. 940

Senate Bill No. 1068

Senate Bill No. 1088

Senate Bill No. 1096

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

Senate Chamber, May 23, 2005

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

Senate Bill No. 269

Senate Bill No. 281

Senate Bill No. 338

Senate Bill No. 358

Senate Bill No. 406

Senate Bill No. 501

Senate Bill No. 503

Senate Bill No. 555

Senate Bill No. 584

Senate Bill No. 776

Senate Bill No. 834

Senate Bill No. 922

Senate Bill No. 952

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

Senate Chamber, May 23, 2005

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

Senate Concurrent Resolution No. 25

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. 2**—An act to amend Sections 2051.5, 10089.70, 10089.79, 10089.80, and 10089.82 of, and to add Sections 124.5, 791.135, 1749.85, 2059, and 2060 to, and to repeal Section 10089.84 of, the Insurance Code, relating to homeowners' insurance.

**SENATE BILL NO. 20**—An act to amend Sections 11629.7, 11629.71, 11629.72, 11629.73, 11629.731, 11629.74, 11629.75, 11629.76, 11629.77, 11629.78, 11629.79, 11629.8, 11629.81, 11629.84, and 11629.85 of, to amend the heading of Article 5.5 (commencing with Section 11629.7) of and to repeal Article 5.6 (commencing with Section 11629.9) of Chapter 1 of Part 3 of Division 2 of, the Insurance Code, and to amend Sections 4000.37, 4000.38, 16020.1, 16020.2, and 16056.1 of the Vehicle Code, relating to auto insurance.

**SENATE BILL NO. 92**—An act to add Section 22947.9 to the Business and Professions Code, relating to computer spyware.

**SENATE BILL NO. 97**—An act to amend Section 17529.5 of the Business and Professions Code, relating to advertising.

**SENATE BILL NO. 161**—An act to add Article 9 (commencing with Section 49055) to Chapter 6 of Part 27 of the Education Code, relating to pupils.

**SENATE BILL NO. 192**—An act to add Section 789.85 to the Insurance Code, relating to annuities.

**SENATE BILL NO. 204**—An act to amend Section 25205 of the Public Resources Code, and to amend Section 303 of, and to add Section 303.5 to, the Public Utilities Code, relating to commission memberships.

**SENATE BILL NO. 231**—An act to amend Sections 802, 802.1, 805.2, 2001, 2019, 2020, 2027, 2220.08, 2225, and 2435 of, and to add Sections 2026 and 2357 to, the Business and Professions Code, to repeal Section 364.1 of the Code of Civil Procedure, and to amend Sections 11371, 11508, 12529, and 12529.5 of, and to add Section 11508.1 to, the Government Code, relating to healing arts, and making an appropriation therefor.

**SENATE BILL NO. 279**—An act to add Article 18.5 (commencing with Section 2418) to Chapter 5 of Division 2 of the Business and Professions Code, relating to physicians and surgeons.

**SENATE BILL NO. 308**—An act to add Sections 27388.5 and 27388.7 to the Government Code, relating to recording fees.

**SENATE BILL NO. 376**—An act to add Article 2.7 (commencing with Section 71639) to Chapter 2 of Part 5 of Division 20 of the Water Code, relating to water.

**SENATE BILL NO. 397**—An act to add Section 11174.11 to the Penal Code, relating to elder death.

**SENATE BILL NO. 404**—An act to amend Section 44320.2 of, and to add and repeal Section 44259.6 of, the Education Code, relating to teacher credentialing.

**SENATE BILL NO. 418**—An act to amend Sections 19460, 19461, 19462 and 19469 of, to add Section 19471 to, and to repeal Chapter 10 (commencing with Section 19850) of Part 2 of Division 10 of, the Welfare and Institutions Code, relating to rehabilitation services, and making an appropriation therefor.

**SENATE BILL NO. 458**—An act to amend Sections 14085.51, 14087.52, 14087.53, and 14087.51 of the Welfare and Institutions Code, relating to health care.

**SENATE BILL NO. 459**—An act to add Article 4.5 (commencing with Section 40459.5) to Chapter 5.5 of Part 3 of Division 26 of the Health and Safety Code, relating to air pollution.

**SENATE BILL NO. 524**—An act to add Section 2190.6 to the Business and Professions Code, relating to medicine.

**SENATE BILL NO. 608**—An act to amend Sections 309.5 and 321 of, and to repeal Section 321.5 of, the Public Utilities Code, relating to the Public Utilities Commission.

**SENATE BILL NO. 616**—An act to amend Section 6254.14 of the Government Code, and to amend Section 6126 of, and to add Sections 5024.3 and 5024.4 to the Penal Code, relating to health care services.

**SENATE BILL NO. 619**—An act to add Chapter 1.4 (commencing with Section 1210.7) to Title 8 of Part 2 of, to add Article 2 (commencing with Section 3010) to Title 1 of Part 3 of, and to repeal Section 3004 of, the Penal Code, relating to electronic monitoring of offenders, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 680**—An act to add Chapter 10 (commencing with Section 100700) to Part 12 of Division 10 of the Public Utilities Code, and to add Section 9250.6 to the Vehicle Code, relating to transportation.

**SENATE BILL NO. 709**—An act to amend Section 84040.6 of, and to add Section 84040.7 to, the Education Code, relating to community colleges.

**SENATE BILL NO. 736**—An act relating to healing arts.

**SENATE BILL NO. 744**—An act to add Section 4582.1 to the Public Resources Code, relating to forest resources.

**SENATE BILL NO. 781**—An act to add Section 867.1 to the Financial Code, relating to financial institutions.

**SENATE BILL NO. 872**—An act to amend Sections 6025.2, 6025.5, 6026, 6026.5, 6027, 6027.5, 6028, and 6029 of, and to add Sections 6025.3 and 6027.1 to, the Food and Agricultural Code, relating to vertebrate pests, and making an appropriation therefor.

**SENATE BILL NO. 909**—An act to amend Section 709 of the Public Utilities Code, relating to telecommunications.

**SENATE BILL NO. 917**—An act to amend Sections 1339.51, 1339.56, and 1339.57 of the Health and Safety Code, relating to the Payers' Bill of Rights.

**SENATE BILL NO. 940**—An act to amend Section 1773 of the Labor Code, relating to public works.

**SENATE BILL NO. 1068**—An act to add Article 11 (commencing with Section 905) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to telecommunications.

**SENATE BILL NO. 1088**—An act to amend Section 1818 of, and to add Section 216 to, the Family Code, relating to family law.

**SENATE BILL NO. 1096**—An act to amend Section 19605.51 of the Business and Professions Code, relating to horseracing, and making an appropriation therefor.

**SENATE BILL NO. 269**—An act to amend Section 12133 of the Penal Code, relating to unsafe handguns.

**SENATE BILL NO. 281**—An act to amend Section 104650 of, and to add Section 104651 to, the Health and Safety Code, relating to nutrition.

**SENATE BILL NO. 338**—An act to add Chapter 5.8 (commencing with Section 51950) to Part 28 of the Education Code, relating to curriculum.

**SENATE BILL NO. 358**—An act to amend Section 1522 of the Health and Safety Code, and to amend Section 362.05 of the Welfare and Institutions Code, relating to child care.

**SENATE BILL NO. 406**—An act relating to workers' compensation.

**SENATE BILL NO. 501**—An act to amend Sections 755 and 756 of the Revenue and Taxation Code, relating to taxation.

**SENATE BILL NO. 503**—An act to add Section 11099.5 to the Government Code, relating to state agencies.

**SENATE BILL NO. 555**—An act to amend Sections 75.12, 469, 534, 3693.1, 3706.1, 18633.5, and 20583 of, to add Sections 75.23 and 1641.5 to, and to repeal Section 24348.5 of, the Revenue and Taxation Code, relating to taxation.

**SENATE BILL NO. 584**—An act to amend Section 602 of the Penal Code, relating to crime.

**SENATE BILL NO. 776**—An act to amend Section 32127.3 of, and to, add Section 32130.6 to the Health and Safety Code, relating to health care districts.

**SENATE BILL NO. 834**—An act to add Section 14626 to the Government Code, relating to state government.

**SENATE BILL NO. 922**—An act to amend Sections 6254, 6254.10, 65352.3, 65560, and 65562.5 of the Government Code, relating to public records, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 952**—An act relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 25**—Relative to safety in employment.



**INTRODUCTION OF GUESTS**

Speaker Núñez, of the 46th Assembly District, introduced students from former Assembly Member Corbett's community college political science class.

Assembly Member Dymally, of the 52nd Assembly District, Assembly Member Oropeza, of the 55th Assembly District, and Assembly Member Karnette, of the 54th Assembly District, introduced students from the Steven's Middle School in Long Beach.

Assembly Member Villines, of the 29th Assembly District, introduced students from the Cornerstone Christian School and home schoolers from Fresno and Madera.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, May 24, 2005, out of respect to the memory of Timothy Jessup and Garold Miller Jr., on motion of Assembly Members Garcia and Benoit; out of respect to the memory of Dr. Robert Lull, on motion of Assembly Member Leno; out of respect to the memory of Bill Brownell, on motion of Assembly Member Emmerson; out of respect to the memory of James Jones and David Lang, on motion of Assembly Member Baca; out of respect to the memory of Pat Cimmarusti, on motion of Assembly Member Frommer; and out of respect to the memory of Tyler B. Dutton, Michael Terrance Antonelli, Rinako Teranishi, Thomas Francis McGann, Tommie De'Esta Widner, Peggy Lee Means, and Albert Probst, on motion of Assembly Member Wolk.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 23, 2005**

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

**AB RN**

6 0514041  
224 0513843  
575 0513666  
599 0514140  
736 0513971  
879 0514253  
1028 0514042  
1169 0514007  
1235 0513952  
1310 0513898  
1428 0513148  
1433 0513964  
1536 0512884  
1576 0513937  
1664 0514142

**ACR RN**

50 0514225  
64 0514111

**SB RN**

39 0513293  
370 0511385

**Daily Total: 19**  
**Cumulative Total: 1638**