

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 13, 2005

EIGHTY-SEVENTH SESSION DAY

ONE HUNDRED NINETIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

(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, June 13, 2005

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

ROLL CALL

The roll was called.

Quorum Call of the Assembly

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

At 12:01 p.m., Speaker pro Tempore Yee placed a quorum call upon the Assembly.

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

Quorum Present

At 12:05 p.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—77:

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

PRAYER

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

Lord, You watch over those who obey You, who trust in Your constant love. When we feel helpless, we call upon You, You answer and You save us from our troubles. All of us have issues in our lives, but when we pray, we know that You will hear us and free us from all our fears. Lord, help us turn away from evil and to do good; and to strive for peace with all our heart.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CAUCUS ANNOUNCEMENTS

At 12:06 p.m., Assembly Member Cohn was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

At 12:06 p.m., Assembly Member Cogdill was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 12:06 p.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 1:24 p.m., the Assembly reconvened.

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

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 Cohn, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

Because of illness: Assembly Members Frommer and Gordon.

Because of illness in his family: Assembly Member Jerome E. Horton.

COMMUNICATIONS

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

June 13, 2005

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Paul Koretz to replace Assemblymember Sally Lieber on the Assembly Revenue and Taxation Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 13, 2005

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Sam Blakeslee to replace Assemblymember Shirley Horton on the Assembly Business and Professions Committee for the June 14 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 13, 2005

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

Dear Dotson: Please be advised that I have appointed Assemblymember Hector De La Torre to replace Assemblymember Mike Gordon on the Assembly Health Committee for the Tuesday, June 14 hearing.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 13, 2005

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

Dear Dotson: This is to advise you that I have appointed Assemblymember John Benoit to replace Assemblymember Jay La Suer on the Assembly Public Safety Committee for the Tuesday, June 14 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

The following communication was presented by the Chief Clerk from:

Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated May 31, 2005, relative to an extension on the Juvenile Justice in California, 2004 report.

Referred by the Speaker to the Committee on Public Safety.

REPORTS

The following reports were presented by the Chief Clerk:

**Identified Project Savings Progress Report
Budget Act 2004–2005**

**(Pursuant to Budget Act, Chapter 208, Statutes of 2004
Sections 6610-301-0574, -0705, -0782, -0785, -0791, -6028, -6041 and
6610-302-0574, -6028, -6041)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated May 25, 2005, referred by the Speaker to the Committee on Budget.

**Permanent Absentee Voting Impact Survey
(Pursuant to Assembly Bill 1520, Chapter 922, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Bruce McPherson, Secretary of State, dated May 26, 2005, referred by the Speaker to the Committee on Elections and Redistricting.

**Housing Assistance Report within Santa Cruz County
(Pursuant to Senate Bill 459, Chapter 471, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Steve Westly, State Controller, dated May 26, 2005, referred by the Speaker to the Committee on Housing and Community Development.

**Online Disclosure Act of 1997 Status Report
(Pursuant to Senate Bill 1712, Chapter 816, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Bruce McPherson, Secretary of State, dated June 1, 2005, referred by the Speaker to the Committee on Elections and Redistricting.

**Court Assistance Programs and Traffic Violator Fees
(Pursuant to Senate Bill 1269, Chapter 665, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated June 6, 2005, referred by the Speaker to the Committee on Judiciary.

**County Administrative Costs Associated with
Medi-Cal Eligibility Determinations
(Pursuant to Senate Bill 1103, Chapter 228, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated June 8, 2005, referred by the Speaker to the Committee on Budget.

**The Motion Picture Industry in California
(Pursuant to Assembly Bill 2410, Chapter 1042, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Patrick W. Henning, Director, Employment Development Department, dated June 7, 2005, referred by the Speaker to the Committee on Arts, Entertainment, Sports, Tourism and Internet Media.

**2004 California Workers' Compensation Losses and Expenses
(Pursuant to Insurance Code Section 11759.1)**

Above transmitted report, together with letter of transmittal from David M. Bellusci, Senior Vice President and Chief Actuary, Workers' Compensation Insurance Rating Bureau, dated June 7, 2005, referred by the Speaker to the Committee on Insurance.

**2003-04 Consulting Services Contracting Reports
(Pursuant to Public Contract Code Section 10359)**

Above report referenced in communication from Ron Joseph, Director, Department of General Services, dated May 17, 2005, stating availability of reports at <http://www.legi.dgs.ca.gov/Publications/2005LegislativeReports.htm>

Referred by the Speaker to the Committee on Business and Professions.

CONFERENCE COMMITTEE REPORTS RECEIVED

Assembly Chamber, June 13, 2005

Mr. Speaker: The Committee on Conference has met concerning:

Senate Bill No. 77, as amended in Assembly on May 19, 2005, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

WES CHESBRO	JOHN LAIRD
DENISE MORENO DUCHENY	JUDY CHU

Senate Committee on Conference

Assembly Committee on Conference

The undersigned Members dissenting to the report:

DENNIS HOLLINGSWORTH	RICK KEENE
Senate Committee on Conference	Assembly Committee on Conference

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 13, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 22
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, June 13, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 23
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

SPECIAL COMMITTEE MEETINGS

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

Utilities and Commerce, on Wednesday, July 6, 2005.

RE-REFERENCE OF BILLS

Assembly Member Cohn was granted unanimous consent that Senate Bill No. 288 be re-referred from the Committee on Housing and Community Development to the Committee on Judiciary and to be returned to the Committee on Housing and Community Development.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member McCarthy was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber, whereupon he introduced his son, Connor.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1029—An act to amend Sections 15604 and 15622 of, and to add Sections 8335, 15606.2, and 15622.5 to, the Government Code, relating to the State Board of Equalization.

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

SECOND READING OF SENATE BILLS

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

Bill read second time, and ordered to Consent Calendar.

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

Bill read second time, and ordered to Consent Calendar.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 68 (Saldana)—Relative to the Tall Ships Challenge 2005.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 68**

Assembly Member Saldaña was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 68.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member Saldaña was granted unanimous consent to take up Assembly Concurrent Resolution No. 68, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 68, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 68—Relative to the Tall Ships Challenge 2005.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**BILLS REMOVED FROM CONSENT CALENDAR
AND PLACED UPON THE INACTIVE FILE**

The following bill was removed from the Consent Calendar, pursuant to Joint Rule 22.2 and placed upon the inactive file pursuant to Assembly Rule 78.

Senate Bill No. 257, on request of Assembly Member Cohn.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Resolution

ASSEMBLY JOINT RESOLUTION NO. 24 (Calderon)—Relative to Ryan White CARE Act.

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

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

Consent Calendar—Senate Bills

SENATE BILL NO. 130 (Margett)—An act to amend Section 3262 of the Civil Code, relating to works of improvement.

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

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

SENATE BILL NO. 1108 (Committee on Judiciary)—An act to amend Sections 1658, 6704.1, 8764, 8776.4, 19641.2, 24045.3, 24045.5, 24045.9, 24045.15, and 25658 of the Business and Professions Code, to amend Sections 798.25, 799.1.5, 1365.2.5, 1747.08, 1798.81.5, 1798.83, and 1936 of the Civil Code, to amend Sections 995.640, 1985.6, 2025.480, 2030.050, 2031.300, and 2033.220 of the Code of Civil Procedure, to amend Section 31109.1 of the Corporations Code, to amend Sections 1240, 1712.2, 17592.70, 17592.72, 17592.73, 22115, 22200, 33126, 41020.5, 41326.1, 41328, 41530, 44830.3, 48853, 49341, 49414.5, 51226.1, 51430, 52059, 52124, 56366, 56366.1, 56366.11, 56505, 59052, 66739.5, 71093, 89539.2, 94742.3, 94931, and 99235 of, and to amend and renumber Section 17463.6 of, the Education Code, to amend Section 9042 of the Elections Code, to amend Sections 299.3, 420, 2024.6, 3111, and 6341 of the Family Code, to amend Section 14252 of the Financial Code, to amend Sections 1053, 1363.5, and 8494 of the Fish and Game Code, to amend Sections 77253 and 77265 of the Food and Agricultural Code, to amend Sections 3309.5, 6254, 7072, 7076.2, 7099, 7110, 7113.5, 8592.4, 8875.10, 12599, 12715, 17555, 20281.5, 20610, 21224, 22860, 27393, 30061, 31492.1, 31725.65, 31755, 31781.2, 31831.2, 31874.6, 51283.4, 53080, 53635, 54954.5, 56700, 65053.5, 65351, 65460.1, 66907.7, 68085, 68115, 68927, 69927, 70367, 71622, 82036, 84602, and 90004 of, and to add the heading of Chapter 5 (commencing with Section 14557) to Part 5.3 of Division 3 of Title 2 of, the Government Code, to amend Sections 1179.2, 1351.2, 1596.792, 11571.1, 18070, 25395.110, 25395.65, 25395.67, 25395.93, 25395.95, 25395.96, 25404, 25404.3, 44297, 100425, 101317, 101850, 113995, 118275, 120440, 125001 of, and to amend and renumber the heading of Article 45 (commencing with Section 123620) of Chapter 2 of Part 2 of Division 106 of, the Health and Safety Code, to amend Section 1215.2 of the Insurance Code, to amend Sections 98.2, 98.6, 2699.5, 3099.3, 3600.1, and 4658.5 of the Labor Code, to amend Sections 179, 972.1, and 985 of the Military and Veterans Code, to amend Sections 502.01, 679.05, 1203.4a, 11055, 12081, and 12553 of the Penal Code, to amend Sections 6106.5, 6108, and 10411 of the Public Contract Code, to amend Sections 5018.1, 14530.1, 14539, 14551, 21159.24, 30310, 40507, 42648.6 of, to amend and renumber Section 21061.5 of, and to amend and renumber the heading of Chapter 4 (commencing with Section 71069) of Part 2 of Division 34 of, the Public Resources Code, to amend Sections 353.2, 379.6, 394.25, 2827.10, 2828, 21661.5, 90300, 130054.1, 130630, and 170042 of the Public Utilities Code, to amend Sections 69.4, 214, 217, 2508, 3811, 7105, 17041, 17052.6, 18648, 18706, 19164, and 20583 of the Revenue and Taxation Code, to amend Sections 527, 36705, 36733, and 36737 of the Streets and Highways Code, to amend Section 1052 of the Unemployment Insurance Code, to amend Sections 4000.1, 4466, 5205.5, 9400.1, 12509, 13352, 15250, 15275, 23575, 23593, and 27362 of the Vehicle Code, to amend Sections 521, 525, 527, 1013, 12997, 13305, 13387, and 35539.13 of the Water Code, to amend Sections 294, 366.21, 387, 636, 740, 827, 4637.5, 4688.5, 7200.06, 11404, 11462, 14016.5, 14016.51, 14087.6, 14123.25, and 16206 of the Welfare and Institutions Code, to amend Section 15 of Chapter 656 of the Statutes of 2003, and to amend Sections 4 and 5 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the maintenance of the codes.

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

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

SENATE CONCURRENT RESOLUTION NO. 43 (Figueroa)—Relative to Autism Awareness Month.

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

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

Consent Calendar Roll Call

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

AYES—75

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

NOES—None**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Klehs announced that the Committee on Revenue and Taxation would meet at 2 p.m. today, in Room 126.

Assembly Member Oropeza announced that the Committee on Transportation would meet today at 2:30 p.m., instead of 1:30 p.m.

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:
Tuesday, June 14, 2005, Check-in Session, 7 a.m.–3 p.m. and Floor Session, upon Call of the Speaker;

Wednesday, June 15, 2005, Check-in Session, 7 a.m.–3 p.m. and Floor Session, upon Call of the Speaker;

Thursday, June 16, 2005, Floor Session, at 9:30 a.m.;

Friday, June 17, 2005, Floor Session, upon Call of the Speaker.

ADJOURN IN MEMORY

Assembly Member Koretz was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Isabella Sullivan, of Oceanside.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Goldberg and Oropeza were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jean O’Leary, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Walters was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gillian Sabet, of San Clemente.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Aghazarian and Matthews were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of S. Edward Griffith, of Stockton.

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Anthony Martinez, of Fullerton.

Assembly Member Evans was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sarah Martin, of Napa and Jack Tilton, of Santa Rosa.

Assembly Member Laird was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank J. Lichtanski, of Del Rey Oaks and Jeffrey Merritt, of Prunedale.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Zane Rollins, of Sacramento.

Assembly Member Spitzer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mamie Gross, of Santa Ana.

Assembly Member Villines was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Lee McKnight, M.D., of Fresno.

Assembly Member Yee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Francis J. Murphy, Jr., of San Francisco.

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 Estella Crivelli Cervantes and Spido Webb, of Dixon; John Logan Granger and Del Wayne Johnson, of Fairfield; Charles Harrison Ayers and Morris L. Danielson, of Vacaville; and Irene Wintzkirk, John Manzo, and Emmerson Russell Rivard, of Woodland.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Montañez announced that the Committee on Rules would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 1:42 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Torrico introduced the Irvington High School "We the People" constitutional debate team.

RECONVENED

At 1:45 p.m., the Assembly reconvened.

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

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items:

Consent Calendar: Calderon, La Malfa, and Mountjoy—Aye.

MOTION TO ADJOURN

At 1:46 p.m., Assembly Member Vargas moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:46 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. 73—McCarthy. Relative to firearms statutes.

AUTHOR'S AMENDMENTS**Committee on Banking and Finance**

June 13, 2005

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

Senate Bill No. 119

Senate Bill No. 702

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

CALDERON, Chair

SENATE BILL NO. 119—An act to amend Sections 5211, 7211, 9211, and 12351 of, and to amend, repeal, and add Section 307 of, the Corporations Code, relating to corporations.

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.

SENATE BILL NO. 702—An act to amend Sections 18005 and 18010 of, to add Sections 18003, 18008, and 18620 to, and to add Chapter 6 (commencing with Section 18300) to Part 1 of Title 3 of, the Corporations Code, relating to associations.

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

AUTHOR'S AMENDMENTS**Committee on Public Safety**

June 13, 2005

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

Senate Bill No. 277

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

LENO, Chair

SENATE BILL NO. 277—An act to amend Sections 290 and 290.46 of the Penal Code, relating to sex offenders.

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

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

June 13, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1644

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

KLEHS, Chair

ASSEMBLY BILL NO. 1644—An act to amend Section 23802 of, and to repeal Sections 6356.5, 17052.12, 17053.49, 23609, and 23649 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 Local Government

June 13, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 254

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

SALINAS, Chair

SENATE BILL NO. 254—An act to amend Sections 7076, 7086, 7097, and 7107 of, and to add Section 7114.2 to, the Government Code, and to amend Sections 17053.34, 17053.46, 17053.47, 23622.8, 23634, and 23646 of the Revenue and Taxation Code, relating to economic development.

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

AUTHOR'S AMENDMENTS
Committee on Local Government

June 13, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 135

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

SALINAS, Chair

SENATE BILL NO. 135—An act to amend Section 61229 of the Government Code, relating to community services districts.

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

AUTHOR'S AMENDMENTS
Committee on Business and Professions

June 13, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Senate Bill No. 231

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

NEGRETE McLEOD, Chair

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.

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

AUTHOR'S AMENDMENTS

Committee on Governmental Organization

June 13, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 310

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

JEROME HORTON, Chair

SENATE BILL NO. 310—An act to amend Section 24011 of the Business and Professions Code, relating to alcoholic beverages.

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

AUTHOR'S AMENDMENTS

Committee on Natural Resources

June 13, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Senate Bill No. 49

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

HANCOCK, Chair

SENATE BILL NO. 49—An act to amend Sections 51203, 51283, 51283.4, and 51283.5 of the Government Code, relating to land conservation, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS

Committee on Natural Resources

June 13, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Senate Bill No. 1110

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

HANCOCK, Chair

SENATE BILL NO. 1110—An act to amend Sections 65040.2, 65352.3, 65560, and 65562.5 of the Government Code, to repeal Section 85.3 of the Harbors and Navigation Code, to amend Section 20676 of the Public Contract Code, to amend Sections 2207, 4561.5, and 42240 of, and to repeal Sections 665, 733, 2797, 4535, 4561.6, 5072.3, 29411, 29412, and 30521 of the Public Resources Code, relating to public resources.

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

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: June 7, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 158

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

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: June 7, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 833

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

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: June 7, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 296

With the recommendation: Do pass as amended.

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

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: June 7, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 390

Senate Bill No. 594

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

JONES, Chair

Above bills ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: June 8, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1769

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

TORRICO, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: June 13, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 36

With the recommendation: Be adopted.

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

MONTAÑEZ, Chair

Above resolution ordered to the Consent Calendar.

MESSAGES FROM THE SENATE

Senate Chamber, June 13, 2005

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

Assembly Bill No. 279

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, June 13, 2005

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

Assembly Bill No. 557
Assembly Bill No. 1305

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

Above bills ordered enrolled.

Senate Chamber, June 13, 2005

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

Assembly Concurrent Resolution No. 44
Assembly Concurrent Resolution No. 66
Assembly Concurrent Resolution No. 71

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

Above resolutions ordered enrolled.

Senate Chamber, June 13, 2005

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

Senate Bill No. 822

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 822—An act to add Section 601.2 to the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), relating to water, and declaring the urgency thereof, to take effect immediately.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
June 13, 2005

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

Dear Speaker Núñez: Pursuant to Government Code Section 12080.2, enclosed please find my Reorganization Plan No. 3 of 2005 to establish the Department of Energy.

Sincerely,

ARNOLD SCHWARZENEGGER

Governor's Reorganization Plan No. 3 ordered held at the Desk.

RECEIPT

I acknowledge receipt this 13th day of June 2005, at 3 p.m., of the Governor's Reorganization Plan, Number 3 of 2005, delivered to me personally by Pamela K. Oto.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

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>
21 -----	Ed.

Assembly Concurrent

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

Senate

<i>Bill No.</i>	<i>Committee</i>
3 -----	Trans.
8 -----	E. & R.
11 -----	E. & R.
18 -----	Health
33 -----	Pub. S.
35 -----	L. Gov.
37 -----	Health and Ed.
46 -----	Ins.
57 -----	Health and Pub. S.
93 -----	L. Gov.
104 -----	Pub. S.
109 -----	Nat. Res.
110 -----	Trans. and L. Gov.
117 -----	E. & R.
156 -----	Pub. S.
159 -----	Pub. S.
163 -----	Health and B. & P.
167 -----	Health
172 -----	Trans.
187 -----	E.S. & T.M.
188 -----	Hum. S.
191 -----	E. & R. and Higher Ed.
212 -----	Trans. and Jud.
225 -----	Trans.
234 -----	Rev. & Tax. and Jud.
238 -----	Trans.
283 -----	Trans.
292 -----	Ins.
293 -----	L. & E.
308 -----	L. Gov. and Aging & L.T.C.
314 -----	L. & E.
316 -----	Trans. and E. & R.
358 -----	Hum. S.
360 -----	B. & F.
367 -----	Health and Ins.

397	Health and Aging & L.T.C.
399	Jud. and Health
401	Health and Jud.
409	L. Gov. and W.,P. & W.
418	Hum. S.
419	E.S. & T.M. and Trans.
426	U. & C. and Nat. Res.
429	Health and E.S. & T.M.
437	Health
439	G.O. and B. & F.
457	Rev. & Tax. and L. Gov.
469	E. & R.
484	Health
503	B. & P.
506	E. & R. and G.O.
512	Ed.
521	H. & C.D. and L. Gov.
524	B. & P.
547	Pub. S.
550	B. & F. and Jud.
562	Ed.
568	L. Gov.
569	Higher Ed. and Jud.
570	Pub. S.
576	Health
577	B. & P.
578	E.S. & T.M. and Trans.
603	Ins.
616	Pub. S.
625	B. & P. and J., E.D. & E.
629	Pub. S. and Trans.
640	Hum. S.
643	Health
667	B. & P.
672	Higher Ed.
674	L. Gov. and Nat. Res.
675	Pub. S.
680	L. Gov. and Trans.
688	Ed.
697	P.E.,R. & S.S. and Ins.
703	Rev. & Tax.
706	Ins. and Jud.
708	Health
711	Ed. and Jud.
719	Pub. S.
726	Jud. and Hum. S.
730	Agri. and Health
734	Pub. S. and Health
750	Health
757	Trans. and U. & C.
760	Trans. and Nat. Res.
762	Trans. and E.S. & T.M.
771	E.S. & T.M.
781	B. & F.

794	-----	Ed.
796	-----	B. & P. and G.O.
799	-----	Jud.
803	-----	Health and Pub. S.
806	-----	Trans.
820	-----	W.,P. & W.
828	-----	B. & P. and L. & E.
849	-----	E.S. & T.M.
851	-----	L. Gov. and Trans.
852	-----	Jud. and B. & P.
857	-----	Trans. and W.,P. & W.
860	-----	B. & F.
874	-----	B. & P.
879	-----	E.S. & T.M. and Agri.
914	-----	B. & P.
931	-----	Nat. Res.
954	-----	J., E.D. & E. and B. & P.
959	-----	L. Gov. and Trans.
970	-----	Ed.
972	-----	Pub. S.
973	-----	P.E.,R. & S.S.
975	-----	Trans.
989	-----	E.S. & T.M. and Jud.
999	-----	L. Gov. and Nat. Res.
1002	-----	V.A.
1003	-----	U. & C. and Nat. Res.
1007	-----	P.E.,R. & S.S.
1016	-----	E. & R.
1026	-----	L. Gov. and H. & C.D.
1037	-----	U. & C. and Nat. Res.
1041	-----	Agri.
1053	-----	Ed.
1081	-----	W.,P. & W.
1082	-----	Jud. and V.A.
1084	-----	Nat. Res. and G.O.
1086	-----	Nat. Res.
1100	-----	L. Gov.
1112	-----	B. & P. and P.E.,R. & S.S.

Senate Concurrent

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

Pursuant to the Assembly Rules, the following Governor's Reorganization Plan No. 2 was referred to committee:

Governor's Reorganization

<i>Plan No.</i>	<i>Committee</i>
2 -----	Budget

INTRODUCTION OF GUESTS

Assembly Member La Malfa, of the 2nd Assembly District, introduced the Oldhams, Moynahans and Hills of Redding and members of the Burney 4-H Club.

ADJOURNMENT

At 3:10 p.m., pursuant to the motion by Assembly Member Vargas, the Assembly adjourned until 7 a.m., Tuesday, June 14, 2005, out of respect to the memory of Isabella Sullivan, on motion of Assembly Member Koretz; out of respect to the memory of Jean O'Leary, on motion of Assembly Members Goldberg and Oropeza; out of respect to the memory of Gillian Sabet, on motion of Assembly Member Walters; out of respect to the memory of S. Edward Griffith, on motion of Assembly Members Aghazarian and Matthews; out of respect to the memory of Anthony Martinez, on motion of Assembly Member Daucher; out of respect to the memory of Sarah Martin and Jack Tilton, on motion of Assembly Member Evans; out of respect to the memory of Frank J. Lichtanski and Jeffrey Merritt, on motion of Assembly Member Laird; out of respect to the memory of Robert Zane Rollins, on motion of Assembly Member Leslie; out of respect to the memory of Mamie Gross, on motion of Assembly Member Spitzer; out of respect to the memory of Robert Lee McKnight, M.D., on motion of Assembly Member Villines; out of respect to the memory of Francis J. Murphy, Jr., on motion of Assembly Member Yee; and out of respect to the memory of Estella Crivelli Cervantes, Spido Webb, John Logan Granger, Del Wayne Johnson, Charles Harrison Ayers, Morris L. Danielson, Irene Wintzkirk, John Manzo, and Emmerson Russell Rivard, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 13, 2005**

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

AB	RN
1029	0515242
1644	0514872

SB	RN
49	0515404
77	0515307 (Conf.)
119	0515256
135	0515108
231	0515029
254	0515325
277	0515163
310	0515060
702	0515263
1110	0515056

Daily Total:	11
Cumulative Total:	1939

O