

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, June 15, 2004

**TWO HUNDRED THIRTEENTH SESSION DAY
FIVE HUNDRED SIXTY-SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, June 15, 2004

The Assembly met at 7 a.m.

Hon. Joe Nation, Assembly Member, 6th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—80:

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maddox	Runner
Campbell	Harman	Maldonado	Salinas
Canciamilla	Haynes	Matthews	Samuelian
Chan	Horton, Jerome	Maze	Simitian
Chavez	Horton, Shirley	McCarthy	Spitzer
Chu	Houston	Montanez	Steinberg
Cogdill	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

Quorum present.

At 11:26 a.m., Hon. Dennis Mountjoy, 59th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

COMMUNICATIONS

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

June 14, 2004

*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 Marco Firebaugh to fill the Democratic vacancy on the Assembly Public Safety Committee for the Tuesday, June 15th hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 15, 2004

*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 Assemblymembers Rudy Bermudez and Marco Firebaugh to fill the Democratic vacancies on the Elections, Redistricting and Constitutional Amendments Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 15, 2004

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

RE: Appointment of Lloyd E. Levine
to State Public Works Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Lloyd E. Levine to the State Public Works Board. This is a pleasure appointment starting June 15, 2004.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2003-138
June 15, 2004

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee (audit committee), the Bureau of State Audits presents its audit report concerning the Department of Insurance's (Insurance) effectiveness in improving consumer services and reducing organized automobile fraud activity as a result of the additional funding it received through Chapter 884, Statutes of 1999 (SB 940), and Chapter 885, Statutes of 1999 (AB 1050). This report concludes that Insurance lacks adequate data to determine how much it should have received since the enactment of these two bills. Using unaudited data from the Department of Motor Vehicles, we estimate the possible loss of as much as \$7 million in assessments for fiscal year 2002-03 alone. Further, Insurance has not made sufficient efforts to follow up on most of the discrepancies in insurers' payments that it identified in a May 2003 analysis.

Insurance has used some of the SB 940 funds to increase its outreach and communication efforts to consumers related to several automobile insurance programs. However, Insurance needs to improve tracking the use of SB 940 funds; for example, the Legal Division cannot easily demonstrate that it used \$9.4 million it received only for allowable activities. Further, Insurance used some AB 1050 funds to work on cases that do not meet the criteria in state law. Finally, Insurance does not monitor the use of AB 1050 funds by either the district attorneys or the Department of the California Highway Patrol, as state laws and regulations require.

The audit committee also requested that we examine the functions of Insurance's bureaus that perform market conduct examinations. Based on our analysis, it appears unlikely that Insurance could gain increased efficiencies, including time and cost savings for insurers, by combining the three bureaus that currently conduct market conduct examinations. However, Insurance may be able to realize some cost savings by combining some of these bureaus' administrative functions. Further, because the Market Conduct Division does not fully utilize Insurance's database, it cannot report on the time and cost associated with its examinations or measure the efficiency of its market conduct operations.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Insurance.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 15, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 240
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 91—Chan (Principal coauthor: Senator Alarcon). Relative to the trade assistance for services workers.

AUTHOR’S AMENDMENTS

Committee on Governmental Organization

June 15, 2004

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Senate Bill No. 419

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

JEROME HORTON, Chair

SENATE BILL NO. 419—An act to add Section 720 to the Public Utilities Code, relating to telecommunications.

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

AUTHOR’S AMENDMENTS

Committee on Rules

June 15, 2004

Mr. Speaker: The Chair of your Committee on Rules reports:
Assembly Concurrent Resolution No. 225

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

MONTANEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 225—Relative to Breast Cancer 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 Revenue and Taxation

June 15, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Senate Bill No. 1212

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

BERMUDEZ, Chair

SENATE BILL NO. 1212—An act to amend Sections 16265.2 and 29100.6 of the Government Code, to amend Section 10754 of, to amend and repeal Section 11000 of, and to add Article 3.5 (commencing with Section 97.7) to Part 0.5 of Division 1 of, the Revenue and Taxation Code, relating to local government finance, 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 Local Government

June 15, 2004

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

Senate Bill No. 1462

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

SALINAS, Chair

SENATE BILL NO. 1462—An act to amend Sections 65352, 65404, 65940, and 65944 of the Government Code, relating to land use.

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

AUTHOR'S AMENDMENTS
Committee on Natural Resources

June 15, 2004

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

Senate Bill No. 557

Senate Bill No. 1264

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

JACKSON, Chair

SENATE BILL NO. 557—An act relating to forest practices.

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. 1264—An act to repeal Section 64.5 of the Harbors and Navigation Code, and to amend Sections 5018.1, 5019.11, 6331.5, and 29777 of, to amend the heading of Chapter 1.77 (commencing with Section 5097.993) of Division 5 of, to amend and renumber Sections 5097.993, 5097.994, 5097.995, and 5097.996 of, and to repeal Sections 5019.15, 6226, 22054, 25689, and 30237 of, the Public Resources Code, relating to natural 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.

AUTHOR'S AMENDMENTS
Committee on Housing and Community Development

June 15, 2004

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

Senate Bill No. 1634

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

LOWENTHAL, Chair

SENATE BILL NO. 1634—An act to amend Section 17980.6 of, and to add Sections 17967.1 and 17993 to, the Health and Safety code, relating to building standards.

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

AUTHOR'S AMENDMENTS
Committee on Education

June 15, 2004

Mr. Speaker: The Chair of your Committee on Education reports:
Senate Bill No. 471

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

GOLDBERG, Chair

SENATE BILL NO. 471—An act to amend Sections 60601 and 60602 of the Education Code, relating to pupil testing.

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

AUTHOR'S AMENDMENTS
Committee on Transportation

June 15, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Senate Bill No. 1210

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

OROPEZA, Chair

SENATE BILL NO. 1210—An act to add Part 6 (commencing with Section 22400) to Division 2 of the Public Contract Code, and to amend Section 217 of, and to add and repeal Sections 217.7, 217.8, and 217.9 to, the Streets and Highways Code, relating to highways.

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 15, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 2449

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

CORREA, Chair

ASSEMBLY BILL NO. 2449—An act to add Section 6101.5 to the Public Contract Code, relating to public contracts, 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 Business and Professions

June 15, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
 Senate Bill No. 1130
 Senate Bill No. 1546

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

CORREA, Chair

SENATE BILL NO. 1130—An act to amend Sections 20209.13 and 20209.14 of the Public Contract Code, relating to public contracts.

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

SENATE BILL NO. 1546—An act to amend Sections 1601.1, 1616.5, and 1742 of, to amend and repeal Sections 1753.5, 1754, 1756, 1757, and 1760 of, to amend, repeal, and add Sections 1741, 1750, 1751, 1752, 1753, 1765, and 1770 of, and to add Sections 1750.1, 1750.2, 1753.1, 1776, and 1777 to, the Business and Professions Code, relating to dentistry, 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 Water, Parks and Wildlife

June 15, 2004

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
 Senate Bill No. 1327
 Senate Bill No. 1477

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

CANCIAMILLA, Chair

SENATE BILL NO. 1327—An act to add Section 5013.5 to the Public Resources Code, relating to state parks.

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. 1477—An act to add Section 13275 to, and to add Chapter 18 (commencing with Section 14150) to Division 7 of, the Water Code, relating to water, 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 Natural Resources

June 15, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
 Senate Bill No. 1886

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

JACKSON, Chair

SENATE BILL NO. 1886—An act to amend Sections 40183, 49120, and 49300 of the Public Resources Code, relating to solid waste.

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 15, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Senate Bill No. 584

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

CORREA, Chair

SENATE BILL NO. 584—An act to add Section 17531.3 to the Business and Professions Code, relating to advertising.

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

June 15, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 1626

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

CHU, Chair

SENATE BILL NO. 1626—An act to amend Section 129785 of the Health and Safety Code, relating to health facility construction, 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 Appropriations

June 15, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 1358

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

CHU, Chair

SENATE BILL NO. 1358—An act to add Section 12528.1 to the Government Code, relating to Medi-Cal.

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

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

June 15, 2004

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Senate Bill No. 1451

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

WIGGINS, Chair

SENATE BILL NO. 1451—An act to add Title 1.81.4 (commencing with Section 1798.98) to Part 4 of Division 3 of the Civil Code, relating to privacy.

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

AUTHOR'S AMENDMENTS
Committee on Insurance

June 15, 2004

Mr. Speaker: The Chair of your Committee on Insurance reports:
Senate Bill No. 574

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

VARGAS, Chair

SENATE BILL NO. 574—An act to add Section 3702.85 to the Labor Code, relating to workers' compensation.

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

AUTHOR'S AMENDMENTS
Committee on Human Services

June 15, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:
Senate Bill No. 855

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

WOLK, Chair

SENATE BILL NO. 855—An act to add Section 1516 to, and to add and repeal Sections 1516.1, 1516.2, and 1516.3 of, the Health and Safety Code, relating to care facilities.

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

REPORTS OF STANDING COMMITTEES
Committee on Transportation

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Transportation reports:
Senate Bill No. 1169
Senate Bill No. 1235
Senate Bill No. 1443

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

OROPEZA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1130

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

OROPEZA, Chair

Above bill re-referred to the Committee on Business and Professions.

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1375

Senate Bill No. 1725

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

OROPEZA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1784

With the recommendation: Do pass.

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

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Transportation reports:

Senate Concurrent Resolution No. 68

Senate Concurrent Resolution No. 69

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

OROPEZA, Chair

Above resolutions re-referred to the Committee on Appropriations.

Date of Hearing: June 7, 2004

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1085

Senate Bill No. 1615

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

OROPEZA, Chair

Above bills ordered to second reading.

Committee on Natural Resources

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 754

Senate Bill No. 1729

Senate Bill No. 1346

Senate Bill No. 1856

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

JACKSON, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: June 8, 2004

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1196

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

COHN, Chair

Above bill ordered to second reading.

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

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Senate Bill No. 1034

With the recommendation: Do pass.

CHAVEZ, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1565

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

JACKSON, Chair

Above bill re-referred to the Committee on Utilities and Commerce.

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 403

Senate Bill No. 1334

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

JACKSON, Chair

Above bills re-referred to the Committee on Agriculture.

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 50

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

JACKSON, Chair

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

Date of Hearing: June 14, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1318

Senate Bill No. 1319

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

JACKSON, Chair

Above bills ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: June 14, 2004

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

- Senate Bill No. 659
- Senate Bill No. 1201
- Senate Bill No. 1488

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

REYES, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 14, 2004

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

- Senate Bill No. 1776

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

REYES, Chair

Above bill re-referred to the Committee on Natural Resources.

Date of Hearing: June 14, 2004

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

- Senate Bill No. 1891

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

REYES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 14, 2004

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

- Senate Bill No. 1276

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

REYES, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

- Senate Bill No. 1457

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

CORREA, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Water, Parks and Wildlife

Date of Hearing: June 15, 2004

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

- Senate Bill No. 1089
- Senate Bill No. 1909

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

CANCIAMILLA, Chair

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

Committee on Business and Professions

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 1752

Senate Bill No. 1851

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

CORREA, Chair

Above bills re-referred to the Committee on Natural Resources.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 1913

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

CORREA, Chair

Above bill re-referred to the Committee on Health.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 1853

With the recommendation: Do pass.

CORREA, Chair

Above bill ordered to second reading.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 1485

With the recommendation: Do pass.

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

CORREA, Chair

Above bill ordered to second reading.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 1301

Senate Bill No. 1753

Senate Bill No. 1363

Senate Bill No. 1775

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

CORREA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 1437

Senate Bill No. 1915

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

CORREA, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Senate Bill No. 117
Senate Bill No. 1155

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

LAIRD, Chair

Above bills re-referred to the Committee on Water, Parks and Wildlife.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Senate Bill No. 1456

With the recommendation: Do pass.

LAIRD, Chair

Above bill ordered to second reading.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Senate Bill No. 1899

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

LAIRD, Chair

Above bill re-referred to the Committee on Water, Parks and Wildlife.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Senate Bill No. 1722

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

LAIRD, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Senate Bill No. 1168

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

LAIRD, Chair

Above bill re-referred to the Committee on Health.

Committee on Agriculture

Date of Hearing: June 9, 2004

Mr. Speaker: Your Committee on Agriculture reports:
Senate Bill No. 1840

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

MATTHEWS, Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: June 15, 2004

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

Senate Bill No. 1136

Senate Bill No. 1677

With the recommendation: Do pass.

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

CANCIAMILLA, Chair

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1145

Senate Bill No. 1284

With the recommendation: Do pass.

CORBETT, Chair

Above bills ordered to second reading.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1305

Senate Bill No. 1760

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

CORBETT, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1279

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

CORBETT, Chair

Above bill re-referred to the Committee on Business and Professions.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1406

Senate Bill No. 1413

Senate Bill No. 1407

Senate Bill No. 1465

With the recommendation: Do pass.

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

CORBETT, Chair

Above bills ordered to second reading.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1368

Senate Bill No. 1678

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

CORBETT, Chair

Above bills ordered to second reading.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1721

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

CORBETT, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 1823

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.

RIDLEY-THOMAS, Chair

Above bill ordered to second reading.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 1156

With the recommendation: Do pass.

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

RIDLEY-THOMAS, Chair

Above bill ordered to second reading.

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Joint Resolution No. 86

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.

RIDLEY-THOMAS, Chair

Above resolution ordered to second reading.

Committee on Judiciary

Date of Hearing: June 15, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 60

Assembly Joint Resolution No. 85

With the recommendation: Be adopted.

CORBETT, Chair

Above resolutions ordered to third reading.

COMMUNICATIONS

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

June 15, 2004

Greg Schmidt
Secretary of Senate
Senate Chamber, State Capitol
Sacramento, California

Dear Greg: Pursuant to the direction of the Speaker of the Assembly, I am returning Senate Bill 9 to the Senate.

As you noted in your letter of June 14, the Senate passed Senate Bill 9 on July 27, 2003. The bill, as amended in the Assembly on June 7, was duly transmitted to the Senate on June 14, 2004. This action was taken pursuant to a duly recorded procedural motion that passed the Assembly by a vote of 42–31.

You administratively returned the bill to the Assembly on the grounds that the bill was “not properly before the Senate for consideration” pursuant to the protocol set forth in Joint Rule 26. The Assembly, however, did not take up the bill for final passage or request that the bill be placed before the Senate for consideration for concurrence pursuant to Joint Rule 26 or any other rule.

Joint Rule 26 is not applicable in this instance because this rule only applies to measures that have been amended, read a third time and passed by the other House, which in this case is the Assembly. Since the Assembly amended, but did not pass Senate Bill 9, Joint Rule 26 does not apply and the bill was properly transmitted to the Senate pursuant to a procedural vote on June 14, 2004.

Sincerely,

E. DOTSON WILSON
Chief Clerk of the Assembly

(NOTE: Please see Senate Journal for June 14, 2004 for the above referenced communication from Greg Schmidt, Secretary of the Senate.)

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

SENATE BILL NO. 524—An act to add Section 51220.6 to the Education Code, to amend and repeal Section 11101 of, and to add Section 1686 to the Vehicle Code, relating to instruction.

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

SENATE BILL NO. 1818—An act to amend Section 65915 of the Government Code, relating to housing.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Local Government.

SENATE BILL NO. 849—An act to add Sections 66536 and 66536.1 to the Government Code, relating to regional planning.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted, bill ordered reprinted and to be re-referred to the Committee on Transportation.

SENATE BILL NO. 89—An act to add Chapter 2.5 (commencing with Section 2220) to Division 3 of the Fish and Game Code, relating to wild animals, and making an appropriation therefor.

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

SENATE BILL NO. 1226—An act to add Section 425.10 to the Government Code, relating to State Grass.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1288—An act to amend Section 19606 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1584—An act to amend Section 23009 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, June 16, 2004.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 15, 2004

—————

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

AB RN

2449 0411080

ACR RN

225 0411634

SB RN

89 0411991
419 0411899
471 0411882
524 0411881
557 0411689
574 0412295
584 0412060
849 0412053
855 0412277
1130 0412017
1210 0412056
1212 0411822
1264 0412008
1327 0412243
1358 0412123
1451 0411956
1462 0411808
1477 0412133
1546 0412013
1626 0412353
1634 0412176
1818 0411941
1886 0412244

Daily Total:	25
Cumulative Total:	4928