

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, July 23, 2004

**TWO HUNDRED THIRTY-FIRST SESSION DAY
SIX HUNDREDTH 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
Friday, July 23, 2004

The Assembly met at 6 a.m.

Hon. Manny Diaz, Assembly Member, 23rd 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—42:

Aghazarian	Diaz	Maddox	Salinas
Bates	Dutton	Maldonado	Samuelian
Benoit	Dymally	Matthews	Simitian
Bermudez	Garcia	Maze	Spitzer
Campbell	Houston	McCarthy	Steinberg
Canciamilla	Keene	Nakanishi	Wesson
Chan	Koretz	Nakano	Wiggins
Chavez	La Malfa	Nation	Wolk
Cohn	Leslie	Pavley	Mr. Speaker
Corbett	Levine	Reyes	
Cox	Lieber	Runner	

Quorum present.

At 3:52 p.m., Hon. Steven N. Samuelian, 29th District, presiding

REGULAR BUSINESS DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Bogh, Calderon, Chu, Cogdill, Correa, Dutra, Goldberg, Harman, Haynes, Jerome E. Horton, Shirley Horton, Jackson, Kehoe, La Suer, Longville, Lowenthal, Montanez, Mountjoy, Negrete McLeod, Oropeza, Pacheco, Parra, Richman, Ridley-Thomas, and Strickland.

On legislative business, and waiving per diem: Assembly Members Frommer and Wyland.

On personal business, and waiving per diem: Assembly Members Berg, Hancock, Leno, Plescia, and Vargas.

Because of illness: Assembly Member Laird.

Because of illness, and waiving per diem: Assembly Member Mullin.

Because of illness in her family, and waiving per diem: Assembly Member Daucher.

The following Assembly Members were excused for the day, and their per diem was waived: Firebaugh, Liu, and Yee.

(NOTE: Per diem is waived by the following Assembly Members until passage of the Budget: Correa, p. 6619; Kehoe, p. 6717; Lowenthal, see communication later this day; Negrete McLeod, p. 6777; Parra, p. 6777; and Wyland, p. 6777 and further communication later this day.)

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

July 21, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Assembly Speaker Nunez,

This letter is a request to be excused from Check-In Session on Friday, July 23, 2004 due to legislative business in my district.

Thank you for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
Sixty-fifth District

July 21, 2004

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

Dear Mr. Speaker: I am writing today to request to be excused from Check in Session on Friday, July 23, 2004 for legislative business in my district. If you have any questions please contact Tiffany Morrison at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member
Fifty-eighth District

July 22, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez: I, respectfully, request to be excused from Check-In Session on Friday, July 23, 2004, so that I may be in my district on legislative business.

Thank you for your consideration of this matter. Should you have any questions or concerns regarding this request, please feel free to contact either myself or my chief of staff, Bill Wong at 916/319-2049.

Kind Regards,

JUDY M. CHU, PH.D., Assembly Member
 Forty-ninth District

July 23, 2004

The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session for today—Friday, July 23, 2004. I have been in my district office all morning.

Thank you for your consideration of this request. If you have any questions, please contact me at 319-2025.

Sincerely,

DAVE COGDILL, Assembly Member
 Twenty-fifth District

July 23, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez: I am writing to respectfully request that I be excused from floor/check-in session on Friday, July 23, 2004, due to legislative business.

Thank you for your consideration in this matter. Should you have any questions, please feel free to contact my office at (916) 319-2069.

Thank you.

Sincerely,

LOU CORREA, Assembly Member
 Sixty-ninth District

July 21, 2004

Office of Assembly Speaker Fabian Nunez

Please excuse me from check-in session on Friday, July 23, 2004. I will be conducting legislative business in my district.

Thank you,

JOHN A. DUTRA, Assembly Member
 Twentieth District

July 21, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol Building, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request an excuse for Check-In Session on July 23, 2004, to attend meetings in my District Office. I will waive per diem.

Thank you for your attention to this request. If you have any questions, please telephone my scheduler, Maria Campos, at 319-2043.

Sincerely,

DARIO FROMMER, Assembly Member
Forty-third District

July 21, 2004

*Speaker Fabian Nunez
State Capitol
Sacramento, California*

Dear Speaker Nunez: This letter is to request permission to be excused from Check-In session on Friday, July 23, 2004 due to legislative business in my district.

Should you have any questions, please do not hesitate to contact my Executive Assistant, Bertha Mardueno at ext. 2045.

Sincerely,

JACKIE GOLDBERG, Assembly Member
Forty-fifth District

July 12, 2004

*Hon. Fabian Nunez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

I respectfully request to be excused from Session, if necessary, from Friday, July 23rd through Tuesday, August 3rd on legislative business. I will be participating in the National Conference of Commissioners on Uniform State Laws, the organization to which Speaker Wesson appointed me in 2003.

I will be available to return to the Capitol on short notice if that becomes necessary in connection with a vote on the budget. Thank you for your consideration of this request. As always, feel free to call me if you have questions. Tiffany Conklin is my staff contact and may be reached at 319-2067.

Sincerely,

TOM HARMAN, Assembly Member
Sixty-seventh District

July 21, 2004

The Honorable Fabian Nunez
Speaker of the House
California State Assembly
Room 219, State Capitol
Sacramento, California

Dear Mr. Speaker: Please excuse me, Assembly Member Ray Haynes, District #66, from Assembly Check-in or Regular Floor Session on Friday, July 23, 2004, due to legislative business in my district.

Sincerely,

RAY HAYNES, Assembly Member
 Sixty-sixth District

July 22, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Friday, July 23, 2004, due to legislative business in my district. I will be returning to Sacramento on Saturday, July 24, 2004, in time for Floor Session Upon Call of the Speaker and Check-In Session.

I want to thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
 Fifty-first District

July 22, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol—Room 219
Sacramento, California

Dear Speaker Nunez: Please excuse me from check-in Session on, Friday July 23, 2004 as I have legislative business to attend to. In the event that a regular Session is called, I will be in attendance.

Please feel free to contact me regarding any requests or concerns you may have. Thank you in advance for your consideration and assistance.

Sincerely,

SHIRLEY HORTON, Assembly Member
 Seventy-eighth District

July 21, 2004

The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker,

Please excuse me from check-in session on Friday, July 23, 2004, as I have legislative business in my district.

Thank you for your prompt attention to this request. Please contact Linda Forrest in my Capitol office should you have any questions.

Sincerely,

HANNAH-BETH JACKSON, Assembly Member
Thirty-fifth District

July 21, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez: I respectfully request to be excused from Assembly Check-in Session on Friday, July 23, 2004 due to legislative business in my district. If there are any questions or concerns, please feel free to contact my Capitol office at 916-319-2076.

Thank you for your attention to this matter.

Sincerely,

CHRISTINE KEHOE, Assembly Member
Seventy-sixth District

July 21, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez,

I have just received word that Friday, July 23, 2004 is Check-In Session. May I please be excused on legislative business as I have already committed to taking part in a ceremony on the USS Ronald Reagan in San Diego on July 23 from 10 a.m. to 3 p.m.?

Thank you for your assistance in this matter.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

July 22, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Friday, July 23, 2004 due to legislative business in my district.

Thank you for your consideration of this request. If your staff should have any further questions or require additional information, please feel free to contact Traci Holt at 319-2062.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

July 23, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

I am writing this letter to respectfully request permission to be excused from check-in session July 23, 2004 for legislative business.

Thank you for your consideration in this matter. If you have any questions, please feel free to call Nicole Anaya or me at 319-2054.

Sincerely,

ALAN LOWENTHAL, Assembly Member
Fifty-fourth District

July 21, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Friday, July 23, 2004. I will be in my district on legislative business.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2039.

Sincerely,

CINDY MONTAÑEZ, Assembly Member
Thirty-ninth District

July 23, 2004

The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol
Sacramento, California

Dear Speaker Nunez: This is to request that I be excused from session today, July 23, 2004, on legislative business.

Thank you in advance for your favorable consideration of this request.

Sincerely,

DENNIS MOUNTJOY, Assembly Member
Fifty-ninth District

July 21, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: Please excuse be from session on Friday, July 23, 2004. I will be in my district on legislative business.

Thank you for your consideration of this request.

Respectfully,

GLORIA NEGRETE MCLEOD, Assembly Member
Sixty-first District

July 20, 2004

The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session, Friday, July 23, 2004, due to legislative business in my district.

Thank you for consideration of this request. Please contact Mercedes Flores, in my office, if you have any questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member
Fifty-fifth District

July 21, 2004

The Honorable Fabian Nunez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez: I respectfully request that I be excused from check in session for Friday, July 23rd. I have legislative business in my district that requires my attendance and will unfortunately prevent me from checking in. Should you have any questions regarding my absence, please do not hesitate to contact my office at (916) 319-2060.

Thank you in advance for your consideration of this matter.

Sincerely,

BOB PACHECO, Assembly Member
Sixtieth District

July 21, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: Due to urgent legislative business in the district, I respectfully request permission to miss check-in on Friday, July 23, 2004.

Should you have any questions or need additional information please contact Bill Herms at 319-2030.

Sincerely,

NICOLE M. PARRA, Assembly Member
Thirtieth District

July 22, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I respectfully request an excused absence for check-in session tomorrow, July 23, 2004. I have made plans in my district for a speech this evening and a meeting regarding infrastructure tomorrow, assuming a traditional Thursday check-in session. Thank you in advance for your help. If you should have any questions, please call my assistant, Connie Bosserman, any time at 916-319-2038.

Sincerely,

KEITH S. RICHMAN, M.D., Assembly Member
Thirty-eighth District

July 21, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I write to request permission to be excused from Check-In Session on Friday, July 23, 2004. I have legislative commitments in my District.

Thank you for your assistance in this matter. If you have questions or need more information, please do not hesitate to contact me or to have your designated staff person contact Lourdes Machado, at (916) 319-2048.

With hope,

MARK RIDLEY-THOMAS, Assembly Member
Forty-eighth District

July 21, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request a legislative excuse for the date of Friday, July 23, 2004. I will be unable to attend check-session that day due to legislative business in my district.

If you have any questions, please call Sarah Dawson at 319.2037.

Sincerely,

TONY STRICKLAND, Assembly Member
Thirty-seventh District

July 22, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Friday, July 23, 2004, due to legislative business in my district. I am waiving per diem.

Thank you for your prompt attention to this request.

Sincerely,

MARK WYLAND, Assembly Member
Seventy-fourth District

COMMUNICATIONS

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

July 22, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: The purpose of this letter is to clarify my wishes regarding my per diem pay during the month of July. Since July is normally a recess month, and normally per diem would not be paid to members because of the recess, I decline per diem for the entire month of July. Of course, I will return to Sacramento immediately if needed to act on the budget.

Thank you for your consideration of this request.

Very truly yours,

MARK WYLAND, Assembly Member
Seventy-fourth District

July 23, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to respectfully decline per diem for the period starting July 6, 2004 to August 2, 2004.

Thank you in advance for your time and consideration of this matter. If you have any questions please contact John Casey, chief of staff, or myself at 319-2054.

Sincerely,

ALAN LOWENTHAL, Assembly Member
Fifty-fourth District

July 23, 2004

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

Dear Dotson: Please be advised that I have created the Select Committee on the West Nile Virus for the 2003–04 Regular Session and have appointed Assemblymembers Nicole Parra and Bill Maze as Co-Chairs. I have appointed the following members to the committee:

Assemblymember Rebecca Cohn
Assemblymember Lou Correa
Assemblymember Dario Frommer
Assemblymember Ray Haynes
Assemblymember Doug La Malfa
Assemblymember Ken Maddox
Assemblymember Barbara Matthews
Assemblymember Gloria Negrete McLeod
Assemblymember Todd Spitzer
Assemblymember Lois Wolk

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Special Committee on State Mandates, on Monday, August 2, 2004, at 9:30 a.m.

AUTHOR'S AMENDMENTS Committee on Judiciary

July 23, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 1822

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

CORBETT, Chair

SENATE BILL NO. 1822—An act to add Title 1.81.15 (commencing with Section 1798.88) to Part 4 of Division 3 of the Civil Code, relating to privacy, 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

July 23, 2004

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

Senate Bill No. 391
Senate Bill No. 1442
Senate Bill No. 1547

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

CHU, Chair

SENATE BILL NO. 391—An act to add Chapter 3.5 (commencing with Section 105230) to Part 5 of Division 103 of the Health and Safety Code, relating to public health, 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.

SENATE BILL NO. 1442—An act to add Section 52611 to the Education Code, relating to education finance.

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

SENATE BILL NO. 1547—An act to amend Sections 144, 6710, 6714, 6799, 8710, and 8805 of, to add Sections 6750.5, 6780, 6796.4, 8740.5, 8785, and 8802.3 to, and to add Article 4.5 (commencing with Section 6770) to Chapter 7 of Division 3 of, and Article 5.7 (commencing with Section 8776) to Chapter 15 of Division 3 of, the Business and Professions Code, relating to professions and vocations, 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 Appropriations

July 23, 2004

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

Senate Bill No. 1302
Senate Bill No. 1745
Senate Bill No. 1881

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

CHU, Chair

SENATE BILL NO. 1302—An act to amend Sections 111105 and 111140 of the Health and Safety Code, relating to drinking water.

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

SENATE BILL NO. 1745—An act to add Section 1271.15 to the Health and Safety Code, and to add Section 5675.2 to 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.

SENATE BILL NO. 1881—An act to amend Sections 6459 and 6480.1 of, to amend and renumber Section 6480.3 of, and to repeal Section 6451.5 of, the Revenue and Taxation Code, relating to taxation.

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

AUTHOR'S AMENDMENTS
Committee on Transportation

July 23, 2004

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

Assembly Concurrent Resolution No. 249

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

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 249—Relative to the Abiel Barron Memorial Highway.

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 Appropriations

July 23, 2004

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

Senate Bill No. 1782

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

CHU, Chair

SENATE BILL NO. 1782—An act to add Section 11152.5 to the Health and Safety Code, and to add Section 1538.1 to the Penal Code, relating to medical crime.

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

July 23, 2004

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

Senate Bill No. 1084

Senate Bill No. 1506

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

CHU, Chair

SENATE BILL NO. 1084—An act to add Section 97.2 to, and to add and repeal Section 97 of, the Streets and Highway Code, and to add Section 42010 to the Vehicle 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.

SENATE BILL NO. 1506—An act to add and repeal Section 653aa of the Penal Code, relating to Internet piracy.

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**

July 23, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 419
Senate Bill No. 1336

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

CHU, Chair

SENATE BILL NO. 419—An act to amend Section 118275 of the Health and Safety Code, relating to medical 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.

SENATE BILL NO. 1336—An act to add Section 1638.1 to the Business and Professions Code, relating to oral and maxillofacial surgery, 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 Appropriations**

July 23, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 1227

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

CHU, Chair

SENATE BILL NO. 1227—An act to add Sections 19531.1 and 19614.6 to the Business and Professions Code, relating to horse racing.

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

**AUTHOR’S AMENDMENTS
Committee on Appropriations**

July 23, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 779
Senate Bill No. 1563
Senate Bill No. 1630

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

CHU, Chair

SENATE BILL NO. 779—An act to add Article 5 (commencing with Section 110424.10) to Chapter 4 of Part 5 of Division 104 of the Health and Safety Code, relating to food.

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. 1563—An act to add Section 4168 to the Business and Professions Code, relating to drug wholesalers and manufacturers.

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. 1630—An act to amend Section 35179.1 of, and to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

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

July 23, 2004

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

Senate Bill No. 1448

Senate Bill No. 1538

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

CHU, Chair

SENATE BILL NO. 1448—An act to amend Sections 60601, 60602, 60607, 60641, and 60642 of and, to amend, repeal, and add Sections 60603, 60604, 60605, 60606, 60640, 60642.5, 60643, and 60643.1 of, the Education Code, relating to pupil assessment.

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. 1538—An act to amend Section 226.7 of the Labor Code, relating to 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 Appropriations

July 23, 2004

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

Senate Bill No. 1245

Senate Bill No. 1542

Senate Bill No. 1781

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

CHU, Chair

SENATE BILL NO. 1245—An act to add and repeal Article 8 (commencing with Section 89270) of Chapter 2 of Part 55 of the Education Code, relating to the California State University.

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. 1542—An act to amend Sections 9882 and 9884.17 of, and to add and repeal Section 9882.6 of, the Business and Professions Code, relating to automotive repair.

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. 1781—An act to add Chapter 6.5 (commencing with Section 12660) to Part 2 of Division 11 of the Health and Safety Code, and to add Section 12302.5 to the Penal Code, relating to pyrotechnic operators.

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.

MESSAGES FROM THE GOVERNOR

The following veto message from the Governor was received and ordered printed in the Journal and the bill ordered to the unfinished business file:

Governor's Office, Sacramento
July 21, 2004

To the Members of the California Assembly:

I am returning Assembly Bill 2145 without my signature.

While I am generally supportive of direct deposit for In-Home Supportive Services/Personal Care Services Program (IHSS/PCSP) provider wage payments, I am concerned that significant one-time costs for the Department of Social Services are not addressed. Enhancements to the current computer system, staff training and the development of direct deposit forms are necessary. Additionally, there are ongoing costs that the Department of Social Services would incur including mailing direct deposit forms, staff costs for direct deposit data entry and researching direct deposit problems.

In January my Legislative Secretary sent a letter to all members of the Legislature respectfully requesting that authors identify how legislation will be funded given the magnitude of California's budget crisis. With these tough budget times, legislation that negatively impacts the General Fund must be weighed against existing programs and budget issues to determine its priority. Furthermore, I am concerned that this bill places an unfunded mandate on counties by requiring them to provide direct deposit services not currently available to some providers.

Direct deposit benefits are in line with my view of efficient government and would reduce fraud. Therefore, I encourage the author to work with the Department of Social Services and Health and Human Services Agency to find a cost effective solution to this matter.

For these reasons, I am returning Assembly Bill 2145 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

RECEIPT

I acknowledge receipt this 21st day of July at 8:02 p.m., of AB 2145 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

RALPH ROMO

Acting Chief Clerk of the Assembly

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

ASSEMBLY BILL NO. 3118—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 3118 Passed and Retained

By unanimous consent Assembly Bill No. 3118 was passed on file, to retain its place on file.

ADJOURNMENT

At 4:55 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 23, 2004**

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

ACR RN
249 0413191

SB RN
391 0414736
419 0414593
779 0414807
1084 0413930
1227 0413920
1245 0414778
1302 0414688
1336 0414647
1442 0414847
1448 0414251
1506 0414762
1538 0414681
1542 0415017
1547 0414867
1563 0414865
1630 0414808
1745 0414780
1781 0414996
1782 0414788
1822 0414927
1881 0414575

Daily Total: 22
Cumulative Total: 5350

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