

Volume 1

Journal of the Assembly

Legislature of the State of California

2005–06 Regular Session

December 6, 2004 to November 30, 2006



HON. FABIAN NUÑEZ
Speaker

HON. SALLY J. LIEBER
Speaker pro Tempore

HON. KAREN BASS
Majority Floor Leader

HON. GEORGE PLESCIA
Minority Floor Leader

E. DOTSON WILSON
Chief Clerk of the Assembly

SUE PARKER
Minute Clerk

Volume 1

CONTENTS OF DAILY JOURNALS OF THE ASSEMBLY

	<i>Date</i>	<i>Page</i>		<i>Date</i>	<i>Page</i>
2004					
December	6	1	March	1	479
	9	73		2	489
	21	79		3	497
2005				7	513
January	3	81		8	531
	4	99		9	539
	5	107		10	549
	6	121		14	565
	10	143		15	583
	11	155		16	595
	12	161		17	607
	13	167		29	631
	14	179		30	669
	18	191		31	695
	19	201	April	4	725
	20	209		5	753
	24	215		6	771
	25	227		7	791
	26	231		11	825
	27	237		12	869
	31	247		13	893
February	3	263		14	917
	7	275		18	955
	8	289		19	1003
	9	295		20	1035
	10	303		21	1065
	11	311		25	1123
	15	325		26	1165
	16	345		27	1183
	17	357		28	1205
	18	375	May	2	1257
	22	395		3	1303
	23	445		4	1329
	24	451		5	1355
	28	465			

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, December 6, 2004

FIRST SESSION DAY

FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

(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, December 6, 2004

Pursuant to the provisions of the Constitution of the State of California, at the hour of 12 o'clock meridian, the 2005–2006 Regular Session of the Legislature was called to order by E. Dotson Wilson, Chief Clerk of the Assembly for the 2003–04 Regular Session.

In conformity with the law, the following officers were also present: Pam Cavileer, Minute Clerk, and Ronald E. Pane, Chief Sergeant-at-Arms for the 2003–04 Regular Session.

Assistant Clerk Sue Parker reading.

ROLL CALL

The Chief Clerk directed the clerk to call the roll of the Assembly Members-elect. The roll was called and the following answered to their names:

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

Quorum of Assembly Members-elect present—78.

REQUEST FOR PHOTOGRAPHER

Upon request of Assembly Member-elect Núñez, and in the absence of objection, photographers and guests were permitted on the Floor of the Assembly and in the Assembly Gallery.

PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by Rev. Michael Kennedy, S.J., Pastor, Dolores Mission Catholic Church, Boyle Heights:

The reading from the Prophet Isaiah. God's Spirit is on me. He's chosen me to preach the Message of good news to the poor. Sent me to announce pardon to prisoners and recovery of sight to the blind. To set the *burdened and battered* free to announce *this is God's year to act with compassion*. This is God's year to act with compassion. God, may this Spirit of Isaiah blow over our elected Representatives and help them make compassionate decisions. This is God's year to act with compassion. God, may Your Spirit work so powerfully that decisions made really will bring good news to the poor in education, in public safety, and in programs for our children. This is God's year to act with compassion. God, give our leaders Isaiah-prophetic strength to announce pardon to prisoners, sight to the blind, and compassion for the most vulnerable. This is God's year to act with compassion. God, give our leaders the same Spirit of Isaiah even when it is not popular to work for those who are excluded. This is God's year to act with compassion. This is God's year to make this dream of compassion a reality.

Finally, Greater One, we ask You to especially bless these new members present. Give them Your spirit of compassion as they make decisions for this great State of California. This is God's year to act with compassion. May God bless you all.—AMEN.

PLEDGE OF ALLEGIANCE

Upon request of the Chief Clerk, Assembly Members-elect and Deans of the Assembly, Hon. Tim Leslie, 4th Assembly District and Hon. Johan Klehs, 18th Assembly District, and special guest Rachel Koretz, led the Assembly in the pledge of allegiance to the Flag.

LEAVES OF ABSENCE FOR THE DAY

The following Assembly Members-elect were absent for the day:
Because of illness: Assembly Members-elect Berg and Oropeza.

CERTIFICATE OF ELECTION FROM SECRETARY OF STATE

The following certificate of duly elected Members of the Assembly for the 2005–06 Regular Session of the Legislature of the State of California was deemed read, and ordered printed in the Journal:

I, KEVIN SHELLEY, Secretary of State of the State of California, hereby certify:

That according to the semi-official canvass filed in my office, the persons whose names are hereinafter set forth were duly elected at the November 2, 2004 General Election as Members of the State Assembly in the Legislature of the State of California for two-year terms beginning on the 6th day of December, 2004;

That set opposite their respective names are the Assembly districts from which they were elected (two-year terms) and the names of the county or counties comprising or forming a portion of said districts, with the name of any county entirely within or comprising the district shown in capital letters.

<i>Member-elect</i>	<i>District</i>	<i>County or Counties</i>
Patty Berg	First	DEL NORTE, HUMBOLDT, LAKE, MENDOCINO, Sonoma, TRINITY
Doug La Malfa	Second	Butte, COLUSA, GLENN, MODOC, SHASTA, SISKIYOU, SUTTER, TEHAMA, Yolo
Rick Keene	Third	Butte, LASSEN, NEVADA, Placer, PLUMAS, SIERRA, YUBA
Tim Leslie	Fourth	ALPINE, El Dorado, Placer, Sacramento
Roger Niello	Fifth	Placer, Sacramento
Joe Nation	Sixth	MARIN, Sonoma
Noreen Evans	Seventh	NAPA, Solano, Sonoma
Lois Wolk	Eighth	Solano, Yolo
Dave Jones	Ninth	Sacramento
Alan Nakanishi	Tenth	AMADOR, El Dorado, Sacramento, San Joaquin
Joe Canciamilla	Eleventh	Contra Costa
Leland Y. Yee	Twelfth	San Francisco, San Mateo
Mark Leno	Thirteenth	San Francisco
Loni Hancock	Fourteenth	Alameda, Contra Costa
Guy S. Houston	Fifteenth	Alameda, Contra Costa, Sacramento, San Joaquin
Wilma Chan	Sixteenth	Alameda
Barbara S. Matthews	Seventeenth	MERCED, San Joaquin, Stanislaus
Johan Klehs	Eighteenth	Alameda
Gene Mullin	Nineteenth	San Mateo
Alberto Torrico	Twentieth	Alameda, Santa Clara
Ira Ruskin	Twenty-First	San Mateo, Santa Clara
Sally J. Lieber	Twenty-Second	Santa Clara
Joe Coto	Twenty-Third	Santa Clara
Rebecca Cohn	Twenty-Fourth	Santa Clara
Dave Cogdill	Twenty-Fifth	CALAVERAS, Madera, MARIPOSA, MONO, Stanislaus, TUOLUMNE
Greg Aghazarian	Twenty-Sixth	San Joaquin, Stanislaus
John Laird	Twenty-Seventh	Monterey, Santa Clara, Santa Cruz
Simon Salinas	Twenty-Eighth	Monterey, SAN BENITO, Santa Clara, Santa Cruz
Mike Villines	Twenty-Ninth	Fresno, Madera, Tulare
Nicole M. Parra	Thirtieth	Fresno, Kern, KINGS, Tulare
Juan Arambula	Thirty-First	Fresno, Tulare
Kevin McCarthy	Thirty-Second	Kern, San Bernardino

Sam Blakeslee	Thirty-Third	SAN LUIS OBISPO, Santa Barbara
Bill Maze	Thirty-Fourth	INYO, Kern, San Bernardino, Tulare
Pedro Nava	Thirty-Fifth	Santa Barbara, Ventura
Sharon Runner	Thirty-Sixth	Los Angeles, San Bernardino
Audra Strickland	Thirty-Seventh	Los Angeles, Ventura
Keith Stuart Richman	Thirty-Eighth	Los Angeles, Ventura
Cindy Montañez	Thirty-Ninth	Los Angeles
Lloyd E. Levine	Fortieth	Los Angeles
Fran Pavley	Forty-First	Los Angeles, Ventura
Paul Koretz	Forty-Second	Los Angeles
Dario Frommer	Forty-Third	Los Angeles
Carol Liu	Forty-Fourth	Los Angeles
Jackie Goldberg	Forty-Fifth	Los Angeles
Fabian Núñez	Forty-Sixth	Los Angeles
Karen Bass	Forty-Seventh	Los Angeles
Mark Ridley-Thomas	Forty-Eighth	Los Angeles
Judy Chu	Forty-Ninth	Los Angeles
Hector De La Torre	Fiftieth	Los Angeles
Jerome E. Horton	Fifty-First	Los Angeles
Mervyn M. Dymally	Fifty-Second	Los Angeles
Mike Gordon	Fifty-Third	Los Angeles
Betty Karnette	Fifty-Fourth	Los Angeles
Jenny Oropeza	Fifty-Fifth	Los Angeles
Rudy Bermúdez	Fifty-Sixth	Los Angeles, Orange
Edward "Ed" Chavez	Fifty-Seventh	Los Angeles
Ronald S. Calderon	Fifty-Eighth	Los Angeles
Dennis L. Mountjoy	Fifty-Ninth	Los Angeles, San Bernardino
Robert "Bob" Huff	Sixtieth	Los Angeles, Orange, San Bernardino
Gloria Negrete McLeod	Sixty-First	Los Angeles, San Bernardino
Joe Baca, Jr.	Sixty-Second	San Bernardino
Bill Emmerson	Sixty-Third	Riverside, San Bernardino
John J. Benoit	Sixty-Fourth	Riverside
Russ Bogh	Sixty-Fifth	Riverside, San Bernardino
Ray Haynes	Sixty-Sixth	Riverside, San Diego
Tom Harman	Sixty-Seventh	Orange
Van Tran	Sixty-Eighth	Orange
Tom Umberg	Sixty-Ninth	Orange
Chuck DeVore	Seventieth	Orange
Todd Spitzer	Seventy-First	Orange, Riverside
Lynn Daucher	Seventy-Second	Orange
Mimi Walters	Seventy-Third	Orange, San Diego
Mark Wyland	Seventy-Fourth	San Diego
George A. Plescia	Seventy-Fifth	San Diego
Lori Saldaña	Seventy-Sixth	San Diego
Jay La Suer	Seventy-Seventh	San Diego
Shirley Horton	Seventy-Eighth	San Diego
Juan Vargas	Seventy-Ninth	San Diego
Bonnie Garcia	Eightieth	IMPERIAL, Riverside

IN WITNESS WHEREOF I hereunto set my hand
and affix the Great Seal of the State of California
this 30th day of November, 2004.

KEVIN SHELLEY
Secretary of State



ROLL CALL BY COUNTIES

The Chief Clerk requested that as the roll of the counties was called the Assembly Member-elect representing such county or counties should stand at his/her desk, and take and subscribe to the oath of office.

MEMBERS SWORN IN

As required by Section 9023 of the Government Code, the Clerk read the roll of counties in alphabetical order, and the following Assembly Members-elect presented their certificates of election and duly qualified by taking and subscribing to the following oath administered by the Honorable Teresa Sanchez-Gordon, Judge of the Superior Court, County of Los Angeles.

OATH

*for the Office of Member of the Assembly
State of California*

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

ANNOUNCEMENTS

The Chief Clerk announced that the next order of business was the nomination and election of officers of the Assembly for the 2005–06 Regular Session of the Legislature, and declared that nominations for the Office of Speaker of the Assembly were now in order.

**NOMINATIONS FOR SPEAKER OF THE ASSEMBLY
Nominations from the Floor**

Assembly Member Frommer nominated Assembly Member Fabian Núñez for the Office of Speaker of the Assembly for the 2005–06 Regular Session.

Nomination of Assembly Member Núñez for the Office of Speaker of the Assembly was seconded by Assembly Members Plescia, Chu, Hancock, Bass, McCarthy, and Mountjoy, whereupon each addressed the assemblage.

MOTION BY ASSEMBLY MEMBER FROMMER

Assembly Member Frommer moved that the Rules and precedent be suspended to allow Assembly Member Fabian Núñez to be elected to the Office of Speaker for the 2005–06 Regular Session by a voice vote.

Assembly Member McCarthy seconded the motion.

Upon request of Chief Clerk Wilson, all Members in favor of electing Assembly Member Fabian Núñez to the office of Speaker responded by saying “Aye”, whereupon Chief Clerk E. Dotson Wilson declared Assembly Member Fabian Núñez the choice of the Assembly for the Office of Speaker of the California State Assembly for the 2005–06 Regular Session.

APPOINTMENT OF SELECT COMMITTEE

Chief Clerk E. Dotson Wilson appointed Assembly Members Aghazarian, Daucher, De La Torre, Karnette, Matthews, Maze, Parra, Ridley-Thomas, Tran, and Walters as a Select Committee on Escort to escort Speaker-elect Fabian Núñez, accompanied by his children Estaban, Teresa, and Carlos, to the Rostrum.

OATH OF OFFICE ADMINISTERED

Speaker-elect Núñez appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by the Honorable Teresa Sanchez-Gordon, Judge of the Superior Court, County of Los Angeles:

OATH

for the Office of Speaker of the California State Assembly

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Speaker Presiding

At 12:42 p.m., the Honorable Fabian Núñez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

**INTRODUCTION OF CONSTITUTIONAL OFFICERS
AND SPECIAL GUESTS**

Speaker Núñez introduced Superintendent of Public Instruction Jack O'Connell; Insurance Commissioner John Garamendi; Lieutenant Governor Cruz Bustamante; Attorney General Bill Lockyer; Secretary of State Kevin Shelley; Board of Equalization Members Hon. Bill Leonard (District 2), Hon. Claude Parrish (District 3), and Hon. John Chiang (District 4); Former Speaker of the Assembly Antonio R. Villaraigosa; Congressman Joe Baca and Hon. Alex Padilla, President, Los Angeles City Council.

Speaker Núñez introduced the Honorable Teresa Sanchez-Gordon, Judge of the Superior Court, County of Los Angeles, and Father Michael Kennedy, Pastor of the Dolores Mission Catholic Church, and expressed his special thanks for their participation in today's proceedings.

ADDRESS BY SPEAKER

Members, I am deeply honored by your vote of confidence and grateful for the opportunity to serve you once again as your Speaker. Thank you.

And let me thank especially the people who have given me life and who sustain me: my mother and father, Soledad and Pablo Núñez and my beautiful children Esteban, Teresa and Carlos, and their wonderful mother, Maria.

And to all the family members and friends of my fellow members, who are bursting with pride in the gallery, thank you for coming to share this historic moment.

Let's give them a round of applause.

My friends, that I—one of 12 children from a humble family—should have the good fortune to lead the California Assembly is a tribute to the unlimited opportunity in our Golden State.

It is testimony to the great workshop of democracy that the Assembly itself represents.

If we are, as some say, the “lower house,” that is only because we are down-to-earth, with our feet on the ground, connected to the people.

Here, in the people's house, the vulnerable can have as much impact as the powerful.

Here, average citizens can have the power to persuade and influence.

Here the many voices of California have a real chance to be heard.

Take pride ladies and gentlemen: The most representative body of state government, the closest to the people, and the best reflection of California's vibrant diversity is our great California Assembly.

We are a legislature of 80 elected members with a balance of Democrats and Republicans that reflects the votes cast for each party.

We are 25 women, 19 Latinos, 3 gay and lesbian Members, 4 African-Americans—including the first woman to serve in nearly a decade, Karen Bass of Los Angeles, and 7 Asian-Americans, including California's first Vietnamese-American Assembly member—Orange County's Van Tran, and one active-duty reservist—Colonel Tom Umberg.

To win a seat in this house, many of you had to fight in elections that were tough and, yes competitive.

The voters throughout California chose us to stand for them. And together we represent their collective will—one grand assembly, charged with the hope, trust and aspirations of the people of this great State.

As you have heard me say before, California is a state where hopes and dreams come true. And it is our job, our mission, to transform those hopes and those dreams into reality.

That's why, last year, we protected health care coverage for the children of working families and guaranteed that every child with a catastrophic illness receives adequate care.

That's why we made sure that the aged and disabled can stay in their homes and not be forced into institutions.

That's why we established tough rules to protect our communities from sexual predators when they are released from prison.

That's why we passed significant worker's compensation reforms that cut insurance costs for employers while making sure that injured workers get the care they need to go back to work.

That's why we increased support for K-12 students and provided them with thousands of new textbooks.

And it's why we protected our institutions of higher education and honored the promise of a public college education for each and every qualified student.

Our job is doing what is right and good for Californians—being tight-fisted with their money and open-minded toward their needs.

After traveling up and down California as Speaker, after meeting with CEOs from COSTCO to Qualcomm, after discussions with leaders in Silicon Valley and talks with small business owners up and down the state, I am more convinced than ever that we can—we must—foster a successful business climate without lowering the standard of living for our families.

Global interdependence does not mean sacrificing California's economic independence.

We have to protect and nurture The California Advantage—our innovative industries, our entrepreneurial spirit, our research universities, our environmental beauty and our greatest resource—the most productive workers in the world.

A key element in that productivity is health care. Unfortunately, we were unable, last year, to put into place legislation we passed on two fronts: to make prescription drugs more affordable, and to provide basic coverage to the six million Californians without insurance.

Sadly, as a result, millions of Californians are paying more for medications they need. Or simply going without them.

Our health care system is teetering on collapse, as employers, hospitals, and taxpayers are paying billions more to cover the costs of health care for those without insurance.

We cannot allow this to continue.

I offer the Governor a challenge, a challenge met out of a moral obligation we have as leaders, to join us in finding a solution to California's health care crisis.

We don't care whose idea it is, as long as it works.

We need a commitment from you, Governor. A commitment to sign legislation to halt the skyrocketing costs of prescription drugs. A commitment to provide health care to Californians that need—and deserve—insurance to protect their families.

On transportation, we have to resolve the funding crisis created by our budget problems and begin—again—to invest in highways and roads, ports, buses and trains.

We can launch innovative partnerships. Bring private capital to the table. Spur improvements in our transportation systems. Companies large and small throughout the state are counting on us to help make California the best place in the world to do business. Let's put more Californians to work.

We also must build on the historic efforts last session to cut pollution from cars, trucks and industrial equipment that threaten our environment and public health.

Now, it's no secret to anyone that I am passionate about public education. It's personal for me. My devotion to my studies kept me out of gangs and propelled me toward public service. I am living proof that a quality education is the great equalizer. The child of a janitor should have the chance to compete head-to-head with the child of a bank president.

So on my watch in the Assembly, we will not retreat on K-12 education. We will not shrink from our responsibility to our universities. And we will not waiver on our commitment to community colleges.

As we begin our work, we welcome the opportunity to consider recommendations for streamlining government from the California Performance Review. We already have identified dozens of proposals in the CPR that offer promise—from repairing the foster care system, to creating a one-stop business license center.

We, like the Governor, welcome all proposals to make government more efficient, more consumer-friendly and less cumbersome and costly. We favor genuine reform.

We want a government that is lean, but not mean.

And as long as we're thinking about reform, let's hope the governor will join us in sweeping away the loopholes in campaign finance laws that allow partisan political committees to masquerade as non-profit groups.

My friends, there are many political and ideological differences among us. We may disagree, we may struggle and argue. That is what a real democracy is all about.

But regardless of our partisan world views, we are bound together by our respect for our free and democratic process, our love of our country and state, and a common belief that if we work hard, play by the rules and treat one another with civility and respect, we can accomplish great things for California.

Let's dedicate ourselves to honor the oath we took here today. To advance the promise of our Golden State.

Thank you and God bless you. God bless America and the great State of California.

DELEGATION FROM THE SENATE

Senators Alquist, Campbell, Cox, Dutton, Kehoe, Lowenthal, Maldonado, Migden, and Simitian appeared at the rear of the Assembly Chamber to inform the Assembly that the Senate is organized and ready to proceed with regular business.

SPEAKER PRO TEMPORE APPOINTED

Speaker Núñez announced that he had appointed Assembly Member Leland Y. Yee to serve as Speaker pro Tempore of the Assembly.

APPOINTMENT OF SELECT COMMITTEE

Speaker Núñez appointed Assembly Members Arambula, Gordon, Keene, La Suer, Mountjoy, Pavley, and Salinas as a Select Committee on Escort to escort Speaker pro Tempore-elect Leland Y. Yee, accompanied by his wife Maxine, and the Venerable Shi De Ren, Elder of the Songshan Shaolin Temple of China, to the Rostrum.

OATH OF OFFICE ADMINISTERED

Speaker pro Tempore-elect Yee appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by the Honorable Teresa Sanchez-Gordon, Judge of the Superior Court, County of Los Angeles.

OATH

for the Office of Speaker pro Tempore of the Assembly

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 1

By Assembly Member Montañez.

*Relative to the Standing Rules of the Assembly
for the 2005–06 Regular Session*

STANDING RULES OF THE ASSEMBLY

2005–06 REGULAR SESSION

I. LEGISLATIVE ORGANIZATION

Assembly General Officers

1. (a) The general officers of the Assembly are the following:
 - (1) Speaker
 - (2) Speaker pro Tempore
 - Assistant Speaker pro Tempore
 - Majority Floor Leader
 - Minority Floor Leader
 - (3) Chief Clerk
 - Sergeant at Arms
 - Chaplain
- (b) Except for the officers listed in paragraph (2) of subdivision (a), each officer listed in subdivision (a) shall be elected by a majority vote of the duly elected and qualified Members.
- (c) The Chief Clerk, subject to the approval of the Committee on Rules, shall determine the names and titles that shall appear on the front page of all publications.

Hours of Meeting

2. The Speaker, or, in his or her absence, the Speaker pro Tempore, shall determine the time for convening the session, unless otherwise ordered by a majority vote of the Members present and voting.

Speaker to Call Assembly to Order

3. The Speaker, or, in his or her absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order.

Roll Call and Quorum

4. Before proceeding with the business of the Assembly, both of the following shall be completed:

(1) The roll of the Members shall be called, and the names of those present shall be entered in the Journal. Forty-one Members constitute a quorum.

(2) The presiding officer shall announce the names of all Members who will be absent from that day's session and the reason for their absence.

Organization of Assembly

5. For the purposes of the organization of any regular session of the Assembly pursuant to Section 9023 of the Government Code, the person who was the Speaker when the previous regular session adjourned *sine die*, if he or she is reelected to the Assembly, shall be deemed to be the senior member elect.

II. RULES

Adoption of Standing Rules

6. The adoption of the Standing Rules requires an affirmative recorded vote of a majority of the duly elected and qualified Members. When once adopted, the Standing Rules shall remain in effect unless suspended or amended as provided in these rules.

Suspension of Rules

7. Unless specified otherwise in these rules, any Standing Rule of the Assembly not requiring more than a majority vote, except Rule 8, may be suspended temporarily by a vote of a majority of the Members of the Assembly. A rule requiring a two-thirds vote may be temporarily suspended by a two-thirds vote of the Members of the Assembly. A temporary suspension applies only to the matter under immediate consideration, and in no case may it extend beyond an adjournment.

Amending Standing Rules

8. A standing rule of the Assembly may not be amended except by a resolution adopted by an affirmative recorded vote of a majority of the duly elected and qualified Members.

Mason's Manual

10. In all cases not provided for by the California Constitution, by the Assembly Rules, by the Joint Rules of the Senate and Assembly, or by statute, the authority is the latest edition of Mason's Manual.

III. ORGANIZATION OF COMMITTEES

Standing Committees

11. Twenty-nine standing committees of the Assembly are hereby created, upon the several subjects, and titled respectively, as follows:

Aging and Long-Term Care
Agriculture
Appropriations
Arts, Entertainment, Sports, Tourism, and Internet Media
Banking and Finance
Budget
Business and Professions
Education
Elections and Redistricting
Environmental Safety and Toxic Materials
Governmental Organization
Health
Higher Education
Housing and Community Development
Human Services
Insurance
Jobs, Economic Development, and the Economy
Judiciary
Labor and Employment
Local Government
Natural Resources
Public Employees, Retirement and Social Security
Public Safety
Revenue and Taxation
Rules
Transportation
Utilities and Commerce
Veterans Affairs
Water, Parks and Wildlife

Open Meetings

11.3. (a) Except as otherwise provided in this rule, all meetings of the Assembly or a committee thereof shall be open and public, and all persons shall be permitted to attend the meetings. As used in this rule, "meeting" means a gathering of a quorum of the Members of the Assembly or a committee in one place for the purpose of discussing legislative or other official matters within the jurisdiction of the Assembly or committee. As used in this rule, "committee" includes a standing committee, joint committee, conference committee, subcommittee, select committee, special committee, research committee, or any similar body.

(b) Any meeting that is required to be open and public pursuant to this rule, including any closed session held pursuant to subdivision (c), may be held only after full and timely notice to the public as provided by the Joint Rules of the Assembly and Senate.

(c) The Assembly or a committee thereof may hold a closed session solely for any of the following purposes:

(1) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider or hear complaints or charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of an employee of the Assembly.

(2) To consider matters affecting the safety and security of Members of the Legislature or its employees, or the safety and security of any buildings and grounds used by the Legislature.

(3) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated litigation, or whether to initiate litigation, when discussion in open session would not protect the interests of the Assembly or committee regarding the litigation.

(d) A caucus of the Members of the Assembly that is composed of members of the same political party may meet in closed session.

(e) A closed session may be held pursuant to paragraph (3) of subdivision (c) under any of the following circumstances:

(1) An adjudicatory proceeding before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator, to which the Assembly or a committee, Member, or employee thereof is a party, has been initiated formally.

(2) Based on existing facts and circumstances, a point has been reached where, in the opinion of the Assembly or a committee thereof, on the advice of its legal counsel, litigation against the Assembly or a committee, Member, or employee thereof is reasonably anticipated.

(3) Based on existing facts and circumstances, the Assembly or a committee thereof has decided to initiate, or is deciding whether to initiate, litigation.

(4) To confer with, or receive advice from, its legal counsel and negotiator prior to the purchase, sale, exchange, or lease of real property by or for the Assembly or a committee thereof regarding the price and terms of payment for the purchase, sale, exchange, or lease.

(f) Prior to holding a closed session pursuant to paragraph (3) of subdivision (c), the presiding officer of the Assembly or the chair of the committee, as appropriate, shall state publicly which paragraph of subdivision (e) is applicable. If the closed session is held pursuant to paragraph (1) of subdivision (e), the presiding officer or chair shall state the title of or otherwise specifically identify the litigation to be discussed, unless the presiding officer or chair states that to do so would jeopardize the ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize the ability of the Assembly or the committee to conclude existing settlement negotiations to its advantage. If the closed session is held pursuant to paragraph (4) of subdivision (e), the notice of the closed session shall identify the real property that the negotiations may concern and the person with whom the negotiations may take place.

(g) The legal counsel for the Assembly or the committee shall prepare and submit to the Assembly or the committee a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is held pursuant to paragraph (1) of subdivision (e), the memorandum shall include the title of or other identification of the litigation. If the closed session is held pursuant to paragraph (2), (3), or (4) of subdivision (e), the memorandum shall set forth the existing facts

and circumstances on which the closed session is based. The legal counsel shall submit the memorandum to the Assembly or the committee prior to the closed session, if feasible, or, in any case, not later than one week after the closed session. The memorandum is exempt from disclosure under the Legislative Open Records Act contained in Article 3.5 (commencing with Section 9070) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code.

(h) For purposes of paragraph (3) of subdivision (c), "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(i) For purposes of this rule, all expressions of the lawyer-client privilege other than those provided in this rule are hereby abrogated. This rule is the exclusive expression of the lawyer-client privilege for the purposes of conducting closed-session meetings pursuant to this rule.

(j) Disclosure of a memorandum required under this rule shall not be deemed a waiver of the lawyer-client privilege provided for under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

Conference Committee Meetings

11.4. A Member may not participate in a meeting of a conference committee considering any bill that is not open to the public.

Assembly Investigating Committees

11.5. (a) The standing committees of the Assembly created pursuant to Rule 11, with the exception of the Committee on Rules, are hereby constituted Assembly investigating committees and are authorized and directed to ascertain, study, and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative.

(b) Each of the Assembly investigating committees consists of the members of the standing committee on the same subject as most recently constituted. The chairperson and vice chairperson is the chairperson and vice chairperson of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing authority.

(c) Each committee and any subcommittee, and its members, have and may exercise all the rights, duties, and powers conferred upon investigating committees and their members by law and by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, a committee may not commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this rule, to be paid from the Assembly

Operating Fund and disbursed, after certification by the Chairperson of the Committee on Rules or his or her authorized representative, upon warrants drawn by the Controller upon the State Treasury.

Membership of Standing Committees

12. The Speaker shall determine the size, and appoint the membership and the chairperson and vice chairperson, of all standing committees and subcommittees. In appointing Members to serve on committees, the Speaker shall consider the preferences of the Members.

Committee on Rules

13. There is a Committee on Rules, which acts as the executive committee of the Assembly. No regular member of the Committee on Rules may simultaneously serve as a chairperson of any standing committee. All meetings of the Committee on Rules that are required to be open and public shall be held in a room of appropriate size, and audio or video transmission of those meetings shall be provided.

Organization of Party Caucuses

13.1. Within two days after the general election held in November of each even-numbered year, the caucus of the political party having the greatest number of Members in the Assembly, and the caucus of the political party having the second greatest number of Members, each shall meet for the purpose of selecting their officers for the next regular session. The rules and procedures of each caucus shall be determined by that caucus, but may not be inconsistent with these rules.

Powers of the Committee on Rules

14. (a) The Committee on Rules has the following powers:

(1) To refer each bill and house resolution to a committee, as provided by these rules.

(2) To appoint all employees of the Assembly not otherwise provided for by statute. It has authority to terminate, to discipline, to establish, and to modify the terms and conditions of employment of, or to suspend, with or without pay, any employee of the Assembly.

(3) To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish these purposes.

(4) To adopt additional policies or requirements regarding the use of cameras and other recording equipment at committee hearings or Assembly floor sessions.

(5) To contract with other agencies, public or private, as it deems necessary for the rendition and affording of those services, facilities, studies, and reports to the committee that will best assist it to carry out the purposes for which it is created.

(6) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of these rules and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(7) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(8) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of these rules.

(9) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

(10) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof, clerical, secretarial, and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for the committees and each of the members thereof, to make and carry on the studies and investigations required by or of them by the resolutions creating the committees, and for these purposes to employ additional stenographic and secretarial assistants as may be necessary, assign, reassign, and discharge these assistants and prescribe amounts, times, and methods of payment of their compensation. The committee shall allocate annually an amount for the operation of each investigating committee, which shall constitute the annual budget of the committee.

(b) During the times as the Assembly is not in session, the committee is authorized and directed to incur and pay expenses of the Assembly not otherwise provided for that the committee determines are reasonably necessary, including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex.

(c) The committee shall allocate sufficient moneys from the Assembly Operating Fund to support the Assembly's share of joint operations.

(d) The chairperson of the Committee on Rules shall appoint a Chief Administrative Officer of the Assembly, subject to the ratification of the Committee on Rules, who has duties relating to the administrative, fiscal, and business affairs of the Assembly that the committee shall prescribe. The Chairperson of the Committee on Rules or a majority of the membership of the Committee on Rules may terminate the services of the Chief Administrative Officer at any time. Notwithstanding the foregoing, the Speaker may appoint a temporary chief administrative officer for up to 90 days following the beginning of the session.

(e) The Committee on Rules shall provide for the publication of a compilation of the photographs of accredited press representatives.

(f) The Committee on Rules may delegate powers to the Speaker by a majority vote of the membership of the committee.

Subcommittee on Sexual Harassment Prevention and Response

14.5. (a) The Subcommittee on Sexual Harassment Prevention and Response is created as a subcommittee of the Committee on Rules. The subcommittee is composed of a total of six members, with the following four members appointed by the Chairperson of the Committee on Rules: two members of the Committee on Rules from the political party having the greatest number of Members in the Assembly and two members of the Committee on Rules from the political party having the second greatest number of Members. The two members from the political party having the second greatest number of Members shall be appointed from a list of nominees that the vice chairperson of the committee provides to the chairperson. The co-chairs of the Assembly

Legislative Ethics Committee also shall be members of the subcommittee. The Chairperson of the Committee on Rules shall designate one of the members of the subcommittee to serve as chair of the subcommittee.

(b) The subcommittee shall formulate and recommend to the Committee on Rules procedures for the handling of any complaint of sexual harassment lodged against a Member of the Assembly or an Assembly employee. Those recommendations shall be submitted to the Committee on Rules no later than 30 days following the appointment of the membership of this subcommittee.

(c) Following the submission of the recommendations pursuant to subdivision (b), the chair of the subcommittee may cause the subcommittee to convene to review and recommend further changes in procedures as subsequent events may require.

Committee on Rules

15. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session, and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction, the committee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the Committee on Rules and its members.

Operating Fund Report

15.5. The Committee on Rules shall annually prepare a report to the public of expenditures as required by Section 9131 of the Government Code.

Independent Audit of Operating Funds

15.6. The Committee on Rules shall annually contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Operating Fund. The organization performing the audit shall be selected by a majority of the membership of the Committee on Rules. The contract for the audit shall be awarded through a competitive bidding procedure. The audit shall be prepared in a manner and form to be determined by the organization performing the audit, and shall be consistent with generally accepted accounting principles.

The audit shall be completed and made available to the public within 180 calendar days following the completion of the fiscal year for which the audit is performed.

Performance Audit

15.7. In addition to the annual financial audit required by Rule 15.6, the Committee on Rules shall contract for an audit of the administrative operations of the Assembly each session. The administrative departments to be audited shall be determined by the Committee on Rules. An organization performing an audit pursuant to this rule shall be selected by a majority of the membership of the Committee on Rules. A contract for an audit shall be awarded through a competitive bidding procedure. Audits shall be prepared in a manner and form to be determined by the organization performing the audit, and shall be consistent with generally accepted accounting principles.

All findings and recommendations reported by an auditing firm shall be made available to Members and to the public.

Rules Committee Resolutions

16. The Committee on Rules, acting unanimously by appropriate resolution, on behalf of and in the name of the Assembly, may extend congratulations, commendations, sympathy, or regret to any person, group, or organization, and may authorize the presentation of suitably prepared copies of these resolutions to the persons concerned and to their relatives.

Assembly Operating Fund

17. The Committee on Rules is the committee identified in Section 9127 of the Government Code. The balance of all money in the Assembly Operating Fund, including money now or hereafter appropriated, except the sums that are made available specifically for the expense of designated committees or for other purposes, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or concurrent resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint committee by the Assembly, upon the expiration of that committee, and shall be expended as provided in these rules.

Expenditures

18. A Member or committee may not incur any expense except as authorized pursuant to these rules or the Joint Rules of the Senate and Assembly, or as authorized by the Assembly or the Committee on Rules.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, officers, and employees of the Assembly that are not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly. These rules and regulations shall incorporate a provision whereby construction, alteration, improvement, repair, or maintenance of real or personal property, and the purchase of supplies and equipment, shall be governed by competitive bidding. Further, the rules and regulations shall provide for the payment of expenditures, as authorized by these rules and regulations, from the Assembly Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

A Member may not be reimbursed for travel outside the State of California without prior approval of the Speaker or the Committee on Rules.

Rules and Regulations Governing Committees

20. All claims for expenses incurred by investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before the claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an investigating committee, shall be approved by the Committee on Rules or its authorized representative before the expenses are incurred, unless the expenditure is specifically exempted from this requirement by the resolution authorizing it.

No warrant may be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee, and rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Assembly investigating committees or other Assembly committees.

These rules may provide for allowances to committee employees in lieu of actual expenses.

Mileage is an allowance to a committee employee in lieu of actual expenses of travel. When travel is by private conveyance, mileage may be allowed only to the operator of, and not to passengers in, a private vehicle. Claims for mileage by private conveyance must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers.

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairperson of every investigating committee and of any other Assembly committee that has employees.

Fees for Witnesses

21. Each witness summoned to appear before the Assembly or any of its committees shall be reimbursed at a rate set by the Committee on Rules.

Assembly General Research Committee

22. (a) The Assembly General Research Committee is hereby continued as a permanent fact-finding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control, but may not undertake any investigation that another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules, and each of these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules to that subcommittee. Each subcommittee shall be known and designated as a select committee. The Speaker is the Chairperson of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups, and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any subcommittee from the Assembly Operating Fund those sums that the Committee on Rules deems necessary to complete the

investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Operating Fund those sums that are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until the time that its existence is terminated by a resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and the people from time to time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

Assembly Legislative Ethics Committee

22.5. (a) The Assembly Legislative Ethics Committee is hereby created. The committee shall consist of six Members of the Assembly, appointed by the Speaker. Notwithstanding any other rule of the Assembly, three members of the committee shall be from the political party having the greatest number of Members in the Assembly and three members shall be from the political party having the second greatest number of Members. Any temporary or permanent vacancy on the committee shall be filled within 10 days by a member from the same political party. All appointments, including appointments to fill permanent or temporary vacancies, of members from the political party having the second greatest number of Members in the Assembly shall be made from a list of nominees that the Minority Floor Leader provides to the Speaker. The Speaker shall designate one member of the committee from the political party having the greatest number of Members in the Assembly and one member of the committee from the political party having the second greatest number of Members to serve as co-chairs of the committee. The Speaker shall designate one of the co-chairs to serve as the presiding officer at any meeting or hearing conducted by the committee.

If a verified complaint is filed against a member of the committee, the Speaker shall temporarily replace the member with a Member from the same political party, who shall serve until the complaint is dismissed or the Assembly takes final action on the complaint, whichever occurs first.

(b) The provisions of this rule, and of Rule 11.5 related to investigating committees, apply to the committee and govern its proceedings.

Prior to the issuance of any subpoena by the committee with respect to any matter before the committee, it shall, by a resolution adopted by the committee pursuant to a vote in accordance with subdivision (n), define the nature and scope of its investigation in the matter before it.

(c) Funds for the support of the committee shall be provided from the Assembly Operating Fund in the same manner that those funds are made available to other committees of the Assembly.

(d) (1) The committee has the power, pursuant to this rule and Article 3 (commencing with Section 8940) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, to investigate and make findings and recommendations concerning violations by Members of the Assembly of any provision of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code or of any other provision of law or legislative rule that governs the conduct of Members of the Assembly, hereafter collectively referred to as "standards of conduct."

(2) The committee may, on its own action pursuant to a vote in accordance with subdivision (n), initiate an investigation of a Member of the Assembly.

(e) Any person may file with the committee a verified complaint in writing, which shall state the name of the Member of the Assembly alleged to have violated any standard of conduct, and which shall set forth the particulars thereof with sufficient clarity and detail to enable the committee to make a determination. The person filing the complaint thereafter shall be designated the complainant.

If a verified complaint is filed with the committee, the committee promptly shall send a copy of the complaint to the Member of the Assembly alleged to have committed the violation complained of, who thereafter shall be designated the respondent.

A complaint may not be filed with the committee after the expiration of 12 months from the date the alleged violation is discovered or three years from the date of the alleged violation, whichever occurs first.

(f) (1) If the committee determines that the verified complaint does not allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, it shall dismiss the complaint and so notify the complainant and respondent.

(2) (i) If the committee determines that the verified complaint does allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, the committee promptly shall investigate the alleged violation and if, after this preliminary investigation, the committee finds that reasonable cause exists for believing the allegations of the complaint, it shall fix a time for a hearing in the matter, which shall be not more than 30 days after that finding. The committee may, however, seek an extension of this period, not to exceed an additional 30 days, which may be granted by a majority vote of the Committee on Rules.

(ii) If, after preliminary investigation, the committee does not find that reasonable cause exists for believing the allegations of the complaint, the committee shall dismiss the complaint. In either event, the committee shall notify the complainant and the respondent of its determination.

(3) The committee shall make its determination under paragraph (1) or (2) of this subdivision, pursuant to a vote in accordance with subdivision (n), not later than 90 days after first receiving a complaint that satisfies subdivision (e). The committee may, however, seek an extension, not to exceed 30 days, which may be granted by a majority vote of the membership of the Committee on Rules. If the committee has requested a law enforcement agency to investigate the complaint or if the committee knows the complaint is being investigated by a law enforcement agency, the time limits set forth in this subdivision shall be tolled until the investigation is completed.

(4) The committee's determination under paragraph (1) or (2) of this subdivision shall be stated in writing, with reasons given therefor, and shall be provided to the Assembly, and, in any case concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall be provided to the appropriate law enforcement agency. This written determination is a public record and is open to public inspection.

(5) Any deliberations of the committee from the time of receipt of a complaint until it decides to dismiss the complaint or to set a hearing shall not be open to the public unless the respondent requests a public meeting.

(g) After the complaint has been filed, the respondent shall be entitled to examine and make copies of all evidence in the possession of the committee relating to the complaint.

(h) If a hearing is held pursuant to subdivision (f), the committee, before the hearing has commenced, shall issue subpoenas and subpoenas duces tecum at the request of any party in accordance with Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code. All of the provisions of that chapter, except Section 9410 of the Government Code, shall apply to the committee and the witnesses before it.

(i) At any hearing held by the committee:

(1) Oral evidence shall be taken on oath or affirmation.

(2) Each party shall have these rights: to be represented by legal counsel; to call and examine witnesses; to introduce exhibits; and to cross-examine opposing witnesses.

(3) The hearing shall be open to the public.

(j) Any official or other person whose name is mentioned at any investigation or hearing of the committee, and who believes that testimony has been given that adversely affects him or her, shall have the right to testify or, at the discretion of the committee, to testify under oath relating solely to the material relevant to the testimony regarding which he or she complains.

(k) The committee shall have 15 days following the hearing within which to deliberate and reach its final determination on the matter as follows:

(1) If the committee finds that the respondent has not violated any standard of conduct, it shall order the action dismissed, shall notify the respondent and complainant thereof, and, in cases concerning an alleged

violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall transmit a copy of the complaint and the fact of dismissal to the appropriate law enforcement agency. The complaint and the fact of dismissal transmitted pursuant to this paragraph are public records and open to public inspection.

(2) If the committee finds that the respondent has violated any standard of conduct, it shall state its findings of fact and submit a report thereon to the Assembly. This report shall be accompanied by a House Resolution, authored by the committee, which shall be introduced at the Chief Clerk's desk and then referred by the Committee on Rules to the Ethics Committee. The House Resolution shall include a statement of the committee's findings and the committee's recommendation for disciplinary action. Within seven days, the committee shall adopt the final form of the House Resolution and report it to the Assembly for placement on the Daily File. The committee also shall send a copy of those findings and report to the complainant and respondent, and, in cases concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall report thereon to the appropriate law enforcement agency. The report submitted pursuant to this paragraph is a public record and open to public inspection.

After the receipt of a copy of the committee's final report and House Resolution, the Assembly expeditiously shall take appropriate action with respect to the respondent.

(l) The filing of a complaint with the committee pursuant to this rule suspends the running of the statute of limitations applicable to any violation of any standard of conduct alleged in the substance of that complaint while the complaint is pending.

(m) The committee shall maintain a record of its investigations, inquiries, and proceedings. All records, complaints, documents, and reports filed with or submitted to or made by the committee, and all records and transcripts of any investigations, inquiries, or hearings of the committee under this rule shall be deemed confidential and shall not be open to inspection, without the express permission of the committee, by any person other than a member of the committee, or an employee of the committee or other state employee designated to assist the committee, except as otherwise specifically provided in this rule. The committee may, by adoption of a resolution, authorize the release to the Attorney General or a district attorney of the appropriate county of any information, records, complaints, documents, reports, and transcripts in its possession that are material to any matter pending before the Attorney General or that district attorney. All matters presented at a public hearing of the committee and all reports of the committee stating a final finding of fact pursuant to subdivision (k) shall be public records and open to public inspection. Any employee of the committee who divulges any matter that is deemed to be confidential by this subdivision shall be subject to discipline by the Committee on Rules.

(n) The committee may take any action authorized by this rule only upon the vote of not less than two members from the registered political party having the greatest number of Members in the Assembly and two members from the registered political party having the second greatest number of Members. Any vacancy on the committee does not reduce the votes required to take action.

(o) The committee may render advisory opinions to Members of the Assembly with respect to the standards of conduct and their application and construction. The committee may secure an opinion from the Legislative Counsel for this purpose or issue its own opinion. Any committee advisory opinion shall be prepared by committee members or staff and shall be adopted by the committee pursuant to subdivision (n).

(p) The committee shall conduct, at least semiannually, an orientation course on the relevant statutes and regulations governing official conduct. The curriculum and presentation of the course shall be established by the Committee on Rules.

Pursuant to Section 8956 of the Government Code, the committee shall conduct, at least annually, an orientation course on the relevant ethical issues and laws relating to lobbying. The committee shall impose fees on lobbyists for attending this course at an amount that will permit the participation of lobbyists to the fullest extent possible.

At least once each biennial session, each Member of the Assembly and each designated employee of the Assembly shall attend one of these courses.

Printing of Committee Reports

23. All requests for the printing of reports of Assembly committees shall be referred to the Committee on Rules. The Committee on Rules shall determine the number of copies needed and whether the report shall be printed in the Journal. In no event may more than 1,000 copies of any committee report be authorized by the Committee on Rules on the first printing, exclusive of the Journal copies if the report is to be printed therein, unless the Committee on Rules finds and determines that there is a special need for that report in greater numbers.

Upon determination by the Committee on Rules that additional copies of an Assembly committee report are required at any time following the first printing of the authorized number of copies, the Committee on Rules may authorize one or more additional printings in the numbers found by it to be necessary and may make funds available therefor.

An Assembly committee report may not contain more than 100 pages, including the front and back cover thereof and any appendix, unless a greater number of pages has been approved and authorized by the Committee on Rules.

Assembly Employees

24. Every employee who works for a committee of the Assembly or a subcommittee of a committee, for a Member of the Assembly, for the Chief Clerk's office, or for the Sergeant at Arms, is an employee of the Assembly. All employees of the Assembly serve at the pleasure of the Assembly and the terms and conditions of their employment may be modified, or their employment may be terminated at will, at any time and without notice, by the Committee on Rules.

Every applicant for employment by the Assembly shall prepare a formal application for employment on forms prescribed by the Committee on Rules. The application shall include a statement of his or her present employment, his or her employment during the preceding two years, and other pertinent information that the Committee on Rules may require. The application shall be certified under penalty of perjury,

and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his or her duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

Every employee shall complete the Assembly ethics course in the first six months of his or her employment. Thereafter, every employee shall take the course in the first six months of every legislative session.

Every employee shall, within the first six months of every legislative session, take a course on sexual harassment prevention. The content of the course shall be determined by the Committee on Rules and shall include the Assembly's policy on sexual harassment prevention and response.

An employee may not engage in any outside business activity or outside employment that is inconsistent, incompatible, or in conflict with his or her functions or responsibilities as an employee of the Assembly. Any employee who engages in any outside business activity or employment that is in any way related to his or her functions or responsibilities as an employee shall promptly notify the Committee on Rules of that business activity or employment.

Assembly Proceedings

25. Accredited press representatives may not be excluded from any public legislative meeting or hearing and may not be prohibited from taking photographs of, televising, or recording the committee or house hearings, subject to the following conditions:

- (1) This rule shall extend to all public legislative meetings.
- (2) Lights shall be used only when cameras are filming, and, when possible, proceedings in hearing rooms and the Chamber shall be filmed without lights.
- (3) Every effort should be made to set up filming equipment before hearings or sessions begin.
- (4) The committee chairperson or the Speaker shall be notified, as far in advance of the proceedings as possible, that recordings and television cameras will be present and filming.
- (5) To the extent practical, flash cameras shall not be used.
- (6) Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee or to the Members in the Chamber.

IV. ASSEMBLY FUNCTIONS

A. Duties of Assembly Officers

Duties of the Speaker

26. (a) The Speaker possesses the powers and shall perform the duties prescribed as follows:

- (1) To preserve order and decorum; he or she may speak to points of order in preference to the other Members, rising from his or her chair for that purpose.
- (2) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, the Speaker shall have the right to assign the reason for his or her decision.
- (3) To name any Member to perform the duties of the Speaker, except that any substitution may not extend beyond adjournment.

(4) To have general direction over the Assembly chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(5) To allocate funds, staffing, and other resources for the effective operation of the Assembly.

(6) To appoint the membership of all standing and special committees, including the Committee on Rules, and their respective chairpersons and vice-chairpersons. The Speaker has approval power over the appointment of subcommittees of standing and special committees, except as otherwise provided in Rule 14.5. The Committee on Rules consists of the Chairperson, Vice Chairperson and six other Members who shall be appointed by the Speaker in accordance with the process for appointing the membership of standing committees pursuant to this rule. Two alternate members of the Committee on Rules shall be appointed in accordance with the process for appointing members to the Committee on Rules. Members and alternates so appointed shall remain in office until their successors are selected as provided for in these rules. The Speaker may designate any member in lieu of or in addition to the alternate member to fill a temporary vacancy. An alternate member may serve when a committee member is absent.

(7) To establish a schedule of meetings of standing committees or subcommittees and to approve special meetings at a time different from the scheduled time.

(8) To have general control and direction over the Journals, papers, and bills of the Assembly and to establish a procedure in accordance with Assembly Rule 118 for admitting employees of the Legislature to the Assembly Chambers, including the lobby in the rear of the chambers and any hallway or area of the floor that is adjacent to the desks occupied by the assistants to the Chief Clerk.

(9) To act as Chairperson of the Committee of the Whole.

(10) To order the Lobby and Gallery cleared whenever he or she deems it necessary.

(11) To authenticate by his or her signature, when necessary or required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(b) The Speaker is an ex officio member of all Assembly and joint committees with all of the rights and privileges of that membership, except the right to vote. In counting a quorum of any of those committees, the Speaker shall not be counted as a member.

(c) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council pursuant to Section 6 of Article VI of the California Constitution.

Funerals and Other Ceremonies and Events

27. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The Members so designated shall receive their expenses as provided in Joint Rule 35.

Selection of Officers

28. (a) The Speaker shall appoint all nonelected officers of the Assembly except the Minority Floor Leader.

(b) The Minority Floor Leader shall be selected by the caucus of the political party having the second greatest number of Members in the Assembly.

Duties of the Speaker pro Tempore

29. The Speaker pro Tempore shall perform those duties assigned by the Speaker, including the responsibility of presiding over sessions of the Assembly and advising the Members on parliamentary procedures of the house.

Majority Floor Leader

30. It is the duty of the Majority Floor Leader to make those appropriate motions, points of order, or other arrangements that may be necessary to expedite the proceedings of the Assembly, and he or she is responsible for the presentation of all matters that relate to the order of business, and to the promotion of harmony among the membership.

Caucus Chairpersons

31. The chairperson of the caucus of the political party having the greatest number of Members in the Assembly, and the chairperson of the caucus of the political party having the second greatest number of Members in the Assembly, shall perform those duties that are prescribed by their respective party caucuses.

Chief Clerk

32. The Chief Clerk of the Assembly has the following duties, powers, and responsibilities:

(a) To keep the bills, papers, and records of the proceedings and actions of the Assembly and to have charge of the publication and distribution of those publications related thereto.

(b) To supervise Assembly employees who are engaged in duties related to subdivision (a).

(c) To act as Parliamentarian of the Assembly and to advise the officers of the Assembly and the Committee on Rules on parliamentary procedure and the Rules of the Assembly when called upon to do so.

(d) To prepare all bills, resolutions, histories, journals, and related publications for printing.

(e) To refuse to permit any bills, papers, or records to be removed from his or her office or out of his or her custody, except upon duly signed receipts from persons authorized.

(f) To mail, before the commencement of each regular session of the Legislature, to each Member a blank form on which the Member may indicate his or her committee preferences. Accompanying the blank form shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning the form. After their receipt, all those communications shall be held by the Chief Clerk of the Assembly and the information contained in the forms shall be forwarded to the Speaker.

(g) To perform other duties that are prescribed by law or the Committee on Rules.

(h) To make technical changes in measures and amendments pending before the Assembly. The Chief Clerk shall notify the Speaker and the author of the measure of any such change.

(i) To compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; before they pass out of the possession of the Assembly, to see that each engrossed bill is a true copy of the original, with those amendments that may have been made thereto; and to see that all engrossed bills are reported back in the order in which they were ordered engrossed.

(j) To assist the Committee on Rules, upon its request, in recommending the reference of bills to the appropriate standing committee.

The Assistant Chief Clerk shall have the powers and perform the duties of the Chief Clerk during his or her absence.

Sergeant at Arms

33. The Sergeant at Arms has the following duties, powers, and responsibilities:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all process issued by authority of the Assembly and directed by the Speaker; the Sergeant at Arms shall receive actual expenses for himself or herself, or for an assistant, incurred in executing any process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with these rules.

(c) To have general supervision over the Assistant Sergeants at Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To execute all commands of the Speaker.

(e) To perform all other duties pertaining to his or her office as prescribed by law or Assembly rule.

The Chief Assistant Sergeant at Arms shall have the powers and perform the duties of the Sergeant at Arms during his or her absence.

Filling Interim Vacancies—Assembly Elected Officers

34. In the event a vacancy in any office, except Speaker, elected by the membership of the Assembly occurs during joint recesses, the Committee on Rules shall fill the office until the session reconvenes. If a vacancy occurs in the office of the Speaker during a joint recess, the Committee on Rules shall notify the membership within 15 days from the time the vacancy occurs and shall call a caucus of the membership of the Assembly for the purpose of filling the vacancy. This caucus shall be held at the State Capitol within 30 days from the time the vacancy occurs. Notice of the caucus shall be in writing and shall be mailed not less than 10 days prior to the meeting of the caucus. If the Committee on Rules fails to act within 15 days from the time the vacancy in the office of Speaker occurs, the Chief Clerk of the Assembly shall act in its place, following the procedure set forth in this rule. Any person selected to fill any vacancy pursuant to this rule holds the office until the session reconvenes.

An affirmative recorded vote of a majority of the duly elected and qualified Members is required for the selection by the Assembly caucus of a person to fill a vacancy pursuant to this rule. The procedure for selecting the Speaker at the caucus is the same as the procedure required for the election of the Speaker at a session.

B. Printing

Authority for Printing

35. The State Printer may not charge any printing or other work to the Assembly other than as provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly. All invoices for printing furnished to the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of the printing. When necessary, the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

Ordering of Printing

36. The Chief Clerk is authorized to, and is responsible for, ordering, the printing of bills, resolutions, journals, daily files, histories, and related documents.

The Chief Clerk of the Assembly, or the Chief Administrative Officer of the Assembly, shall order other printing as directed or authorized by the Committee on Rules, and the written order for that printing shall be countersigned by the Speaker or a person designated by the Speaker. The Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly shall also order other printing as directed or authorized by resolution or motion of the Assembly.

Printing Assembly History and Legislative Handbook

37. During the session, the Chief Clerk shall cause to be printed and placed upon each Member's desk, prior to convening on Monday of each week, a complete history showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of each Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

The Chief Clerk of the Assembly shall, as soon as practicable, in each even-numbered year, commence to compile a legislative manual or handbook, pursuant to Section 9740 of the Government Code.

V. LEGISLATIVE PROCEDURE

Order of Business

40. (a) The order of business of the Assembly shall be as follows:
1. Roll Call
 2. Prayer by the Chaplain
 3. Reading of the Previous Day's Journal
 4. Presentation of Petitions
 5. Introduction and Reference of Bills
 6. Reports of Committees
 7. Messages From the Governor
 8. Messages From the Senate
 9. Motions and Resolutions
 10. Business on the Daily File
 11. Announcements
 12. Adjournment

(b) With the exception of Special Orders of Business, the Speaker may determine that a different order of business will result in a more expeditious processing of the business of the Assembly by ordering resolutions honoring an individual or an organization, introductions, and adjournments in memory of individuals to be taken up in a different order than that listed in subdivision (a).

Pledging of Allegiance to the Flag

41. At each session, following the prayer by the Chaplain, the Members of the Assembly and its officers and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America. The Speaker shall invite guests present in the Assembly Chamber to join in the pledge of allegiance to the Flag of the United States of America.

Reading and Correcting Journals

42. (a) The reading of the Journal of the previous day may be dispensed with, on motion, by a majority vote of the Members present and voting.

(b) All journals of the Assembly shall be corrected by the Minute Clerk and delivered to the Chief Clerk.

(c) A motion to correct any day's Journal or to print a letter in the Journal shall always be in order and shall require a majority vote of the Members present and voting.

Presentation of Petitions

43. Whenever petitions, memorials, or other papers are presented by a Member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or referred to a committee as the Speaker shall determine. Receipt of that presentation and its disposition shall be noted in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer the petition to committee.

Messages From the Governor

44. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by an affirmative recorded vote of 54 or more Members.

Messages From the Senate

45. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Committee on Rules shall refer each bill to a committee, unless upon a motion the Assembly, by an affirmative recorded vote of 41 or more Members, refers it to some other committee. The action to refer a bill is not debatable. The reference shall be entered in the Journal. Assembly bills that have been passed without amendment by the Senate shall be ordered to enrollment.

An Assembly bill amended by the Senate shall be placed upon the unfinished business file but shall not be eligible to be acted upon until it is on the unfinished business file for one legislative day, except that when the Assembly bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline specified by Section 10 of Article IV of the California

Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly, it may be acted upon immediately.

Presentation of Guests or Memorials in the Assembly

45.5. These rules do not prohibit the Speaker or Speaker pro Tempore from permitting the introduction of a special guest or guests. A request that a session of the Assembly adjourn in memory of a person shall be made in writing. The request shall be read by the presiding officer immediately prior to adjournment.

A. Bills and Resolutions

Bills Defined

46. (a) The word "bill," as used in these rules, includes a constitutional amendment, a concurrent resolution, and a joint resolution, except as otherwise specifically provided.

(b) A concurrent resolution and a joint resolution, other than a resolution ratifying proposed amendments to the United States Constitution and a resolution calling for a constitutional convention, shall be treated in all respects as a bill except as follows:

- (1) It shall be given only one formal reading.
- (2) It shall not be deemed a bill within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.

Introduction and Reference of Bills

47. (a) Each bill shall be signed by each Member who is an author or coauthor of the bill before it is introduced. If any bill is introduced that does not contain the signature of its author or coauthor, the bill, on motion of the Member whose name appears thereon without that signature, shall be stricken from the file by an affirmative recorded vote of 41 or more Members. In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and, as each Member's name is called, the Member may introduce one bill, constitutional amendment, or concurrent or joint resolution. After this roll call, the preprint bills shall be introduced in numerical order.

(b) After the introduction of preprinted bills, and subject to the provisions of the Joint Rules of the Senate and Assembly, any Member desiring to introduce a bill, constitutional amendment, or concurrent or joint resolution may at any time during a session send the same to the Chief Clerk's desk.

(c) When received at the Chief Clerk's desk each bill shall, under the proper order of business, be numbered, read the first time, printed, and referred to a standing committee, and a copy thereof shall be placed upon the desk of each Member before final passage.

All bills, constitutional amendments, and concurrent or joint resolutions introduced before the standing committees of the Assembly are appointed shall be referred to committee, the references to take effect when the committees are appointed.

(d) The Committee on Budget may introduce a bill germane to any subject within the jurisdiction of the committee in the same manner as any member. Any other standing committee may introduce a total of five bills in each year of a biennial session that are germane to any subject within the proper consideration of the committee.

(e) No committee, except the Committee on Budget, may introduce or author a House Resolution, Concurrent Resolution, or Joint Resolution.

(f) A committee bill may not be introduced unless it contains the signatures of a majority of all of the members, including the chairperson, of the committee. If all of the members of a committee sign the bill, at the option of the committee chairperson the committee members' names need not appear as authors in the heading of the printed bill.

(g) Subdivision (d) or (e) of this rule may be suspended with respect to a particular bill or resolution by approval of the Committee on Rules.

Bills Authored by a Former Member

47.1. Whenever the author of a bill in the Assembly is no longer a Member of the Legislature, upon a request of a committee or current Member of the house in which the bill was introduced, the Assembly Committee on Rules may authorize that committee or Member to be the author of that bill. Absent that authorization, an action may not be taken by a committee or the Assembly with respect to a bill authored by a former Member.

Limitation on the Introduction of Bills

49. (a) A Member may introduce not more than 40 bills in the regular session. As used in this rule, "bills" includes constitutional amendments.

(b) Notwithstanding subdivision (a) of this rule, a Member may introduce not more than five resolutions in the regular session. As used in this rule, "resolutions" include House, Concurrent and Joint Resolutions, but do not include resolutions introduced by a Member for the specific purpose of organizing a session that is convened pursuant to Article IV, Section 3 (a) of the State Constitution or resolutions introduced by the Speaker as part of a session honoring a retiring Assembly Member.

(c) This rule may be suspended with respect to a particular bill or resolution by approval of the Committee on Rules.

Reference of Bills to Committee

51. Except as otherwise provided in this rule, the Committee on Rules shall refer each bill to a committee by a majority vote of the membership of the committee, unless upon a motion the Assembly, by an affirmative recorded vote of 41 or more Members, refer it to some other committee. A motion to refer a bill is not debatable, except as to the propriety of the motion, and it may not open the main question to debate.

The Committee on Rules may require that, if a bill is reported out of the committee to which it has been referred, it shall be re-referred to another committee that shares jurisdiction of the subject matter of the bill.

Spot Bills

51.5. A bill that upon introduction makes no substantive change in or addition to existing law, and would not otherwise affect the ongoing operations of state or local government, except a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, may not be referred to a committee by the Committee on Rules. If

the author subsequently proposes to the Committee on Rules to make substantive changes in the bill as introduced, the Committee on Rules may refer the bill to a committee, together with the proposed changes for consideration as author's amendments. A vote on passage of the bill may not be taken, however, until the bill with its amendments, if adopted, has been in print for at least 15 days.

Delivery of Bills to State Printer

52. After introduction and first reading, all bills shall be delivered to the State Printer.

Introduction of House Resolutions

53. All house resolutions shall be numbered and shall be referred to the appropriate committee by the Committee on Rules.

Each house resolution shall be signed by each Member who is an author or coauthor of the house resolution before it is introduced.

Resolutions by Member

54. A concurrent resolution or a house resolution may be introduced relating to a present or former state or federal elected official or a member of his or her immediate family. Other resolutions for the purpose of commendation or congratulation of any person, group, or organization, or for the purpose of expressing sympathy, regret, or sorrow on the death of any person, shall be prepared as a Rules Committee Resolution and presented to the committee for appropriate action.

The Committee on Rules may approve exceptions to this rule for house resolutions. The Chief Clerk may not accept for introduction any house resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

B. Standing Committee Functions

Standing Committee Rules

55. Subject to the Joint Rules of the Senate and Assembly, the Rules of the Assembly shall govern the conduct of all committee and subcommittee meetings.

Meetings of Standing Committees and Subcommittees

56. All standing committees and subcommittees shall meet at the hour and place provided by the schedule established by the Speaker, unless permission for a different hearing time is granted by the Speaker. A committee or subcommittee may not meet during any session of the Assembly, nor may any Member of the Assembly attend a conference committee meeting on any bill during any session of the Assembly without first obtaining permission from the Assembly.

When an unscheduled meeting of a standing committee or subcommittee has been so ordered, the meeting shall convene in an area that is readily accessible to the public and the Assembly shall take care that every effort is made to inform the public that a meeting has been called. An unscheduled meeting of a committee or subcommittee may not be held in the Assembly Chamber.

No bill may be set for hearing, nor may any notice thereof be published by any Assembly committee or subcommittee, until the bill has been referred to the committee or subcommittee. Nothing in this paragraph shall prevent a committee or subcommittee from acting with

regard to a bill referred to it where the only action taken is to cause the bill to be reported to the Assembly with the recommendation that amendments be adopted and the bill be reprinted as amended and re-referred to the committee or subcommittee.

The several standing committees and subcommittees and their chairpersons may adopt a procedure under which bills are scheduled for hearing on the basis of like subject matter groupings.

Setting and Hearing Bills in Committee

56.1. All bills referred to a standing committee pursuant to Assembly Rule 51 shall be set and heard, if requested by the author, as specified by the Joint Rules. If the analysis of an author's amendment that is subsequently adopted pursuant to Assembly Rule 68 discloses that the amendment makes a substantial substantive change to the original bill as referred by the Rules Committee, the bill as amended shall either be set and heard by the committee having jurisdiction of the bill as amended or re-referred to the Committee on Rules pursuant to the Assembly Rules.

Committee Analyses

56.5. Except as otherwise provided in this rule, each standing committee and subcommittee shall prepare an analysis of every bill it has set for hearing, which shall be available to the public in the office of the committee or subcommittee one working day prior to the date on which the hearing is to be held. In the case of a special meeting, or a meeting of the Committee on Appropriations or the Committee on Budget, or their subcommittees, the analysis shall be available to the public at the beginning of the hearing. No question concerning a committee's compliance with this rule with regard to any bill shall be in order following a vote on passage of the bill in that committee. As used in this rule, a "working day" is any day on which a house file is published.

A copy of each committee analysis shall be transmitted by the committee secretary to the Assembly Floor Analysis Unit at the same time it is made available to the public.

Committee Consultants: Floor Analyses

56.6. Except as otherwise provided in this rule, the consultants of a standing committee or subcommittee are responsible for monitoring bills assigned to their respective committee or subcommittee throughout the entire legislative process. Except for resolutions and bills on the Consent Calendar, a consultant of the appropriate standing committee shall prepare, in a timely fashion, an analysis of every bill on third reading or the unfinished business file, and of any amendment to a bill that is on the Assembly floor, as directed by the Assembly Floor Analysis Unit.

The committee consultant who prepares the analysis shall transmit a copy of the completed analysis to the Assembly Floor Analysis Unit. The Assembly Floor Analysis Unit is responsible for final editing for grammar and format of all floor analyses.

Consent Calendar

56.7. If the chairperson of a committee or subcommittee, in advance of a hearing, proposes to recommend any bills for consideration on the Consent Calendar without hearing testimony on those bills in committee, a list of those bills shall be made available to the public at the same time as the committee analysis required under Rule 56.5.

Committee Quorum

57. Except as otherwise provided in this rule, a majority of the membership of any standing committee constitutes a quorum for the transaction of its business, including the decision to recommend the adoption of any amendments to any bill. A majority of the membership of the committee, or a subcommittee thereof, is required to report a bill out of the committee or subcommittee, respectively. Any vacancy on a standing committee shall not reduce the votes required to take action on a bill in that committee.

Whenever a member is disqualified pursuant to Joint Rule 44 or the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code) from voting or taking any other action related to the passage, defeat, or amendment of a bill in committee, that disqualification shall be treated the same as a vacancy. The member shall advise the chairperson of a disqualification, and the chairperson shall announce which members are so disqualified at the commencement of the hearing on the bill.

Reconsideration

57.1. After a committee has voted on a bill, reconsideration may be granted only one time. Pursuant to subdivision (a) of Joint Rule 62, reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever occurs first. A vote on reconsideration may not be taken without the same notice required to set a bill for hearing unless that vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. An action taken by a committee may not be reconsidered except by a majority vote of the membership of the committee.

Bills Reported Back to Assembly

58. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith; the chairperson of each committee is charged with the observance of this rule. The chairperson of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

Appropriations Suspense File

58.2. The Committee on Appropriations may maintain a suspense file, to which bills may be referred by vote of a majority of the members of the committee present and voting, pending further consideration by the committee. A bill may be taken off the suspense file and heard, upon two days' notice published in the file, by a vote of a majority of the members of the committee present and voting. A bill removed from the suspense file for the purpose of amendment only, pursuant to Rule 68, shall be re-referred to the committee and shall be placed on the suspense file pending further consideration by the committee.

Voting in Committee

58.5. When a standing committee or subcommittee takes action on a bill, including reconsideration, the vote may be by roll call vote only. All roll call votes taken in a standing committee or subcommittee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The record of a roll call vote shall show, for each proposal voted upon: all votes for and against, all members absent, and all members not voting. The chairperson of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a monthly basis.

The committee secretary of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Assembly Floor Analysis Unit.

A member may submit a written explanation of his or her vote, absence, or failure to vote on any bill or resolution, and that explanation shall be printed in the appendix to the Journal in the appropriate place, provided that no explanation may exceed 50 words in length.

At the request of the author or any member of the committee, the committee shall hold the roll open on any Assembly bill until the adjournment of the committee meeting. At no time may a bill be passed out by a committee without a quorum being present.

This rule does not apply to any of the following:

- (a) Adoption of author's amendments to a bill.
- (b) Withdrawal of a bill from a committee calendar at the request of an author.
- (c) Return of bills to the house where the bills have not been voted on by the committee.
- (d) Votes of subcommittees of the Committee on Budget when considering the Budget Bill.
- (e) Votes of the Committee on Rules when referring bills to committees.

Subject Matter of Bill Recommended for Interim Study

59. Whenever it is the decision of a standing committee that a bill referred to that committee shall not be given a do-pass recommendation, but that the subject matter of the bill should be referred for study, that standing committee shall retain the bill in its possession and report its recommendation to the Assembly that the subject matter of the bill be referred to the Committee on Rules for that committee's assignment of the subject matter to an appropriate committee.

Nothing in this rule shall be construed to prohibit a committee from subsequently reporting the bill to the Assembly with a do-pass or do-pass as amended recommendation or from reporting it out of committee without further action on the final day of the session.

Committee Chairperson as Author

60. A chairperson of a standing committee may not preside at a committee hearing to consider a bill of which he or she is the sole author or the lead author, except that the Chairperson of the Committee on Budget may preside at the hearing of the Budget Bill by the Committee on Budget.

Reports of Committees

61. Specially prepared reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the Members present and voting.

When a report of a joint legislative committee is delivered to the Assembly Desk, the Speaker shall refer it to a standing committee for review and appropriate action.

Constitutional Amendments

62.5. All constitutional amendments shall be referred to the policy standing committee having jurisdiction of that subject matter and, upon being reported out of that committee, shall be re-referred to the committee having constitutional amendments within its jurisdiction.

C. Passage of Bills

Daily File

63. There shall be printed an Assembly Daily File for each legislative day. The following listing shall constitute the order of business on the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration, provided that Rule 58 has been complied with in the order of their listing. All scheduled committee hearings, together with the list of bills to be heard, shall be published in the Daily File.

Copies of Bills for Action on Floor

64. A bill may not be considered or acted upon on the floor of the Assembly unless and until a copy of the bill as introduced, and a copy of each amended form of the bill, has been distributed to the desk of each Member in hard copy or in portable document format (PDF) via computer.

Second Reading of Bills

66. All bills shall be read by title the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day, and may not be read a second time until the next legislative day under that order of business. As used in this rule, "bill" does not include a joint or concurrent resolution, but does include a constitutional amendment.

Bills Requiring General Fund Appropriation

66.6. Until the Budget Bill has been enacted, the Assembly may not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the Budget Bill is to be enacted, except emergency bills recommended by the Governor or appropriations for the salaries and expenses of the Legislature.

Passage of Budget Bill

66.7. The Budget Bill may not be voted upon for final passage on the floor of the Assembly unless it complies with subdivision (f) of Section 12 of Article IV and Sections 1.3 and f20 of Article XVI of the California Constitution.

Committee Amendments

67. Committee amendments reported with bills shall be considered upon their second reading, and the amendments may be adopted by majority vote of the Members present and voting. Assembly and Senate bills amended on second reading by committee amendment shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing.

Committee amendments reported with bills shall be prepared, or approved as to form, by the Legislative Counsel. Five copies of the committee amendments to Assembly bills and five copies of the committee amendments to Senate bills shall be delivered to the Chief Clerk's desk.

The Chief Clerk shall cause to be transmitted to the Assembly Floor Analysis Unit a copy of each committee report and committee amendment, unless the committee report or committee amendment is relative to a joint, concurrent, or house resolution.

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee, or on the third reading by the Assembly, of the bill, those amendments, or any part thereof.

Author's Amendments

68. Upon request of the author of a bill, the chairperson of the committee to which the bill has been referred may, by his or her individual action taken independently of any committee meeting, cause the bill to be reported to the Assembly with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

Notwithstanding any other rule, a bill to be amended pursuant to this rule may not be placed on the second reading file for the adoption of those amendments.

Vote on Passage of Bill as Amended

68.5. Except as otherwise provided in this rule, a vote on passage of any bill in a standing committee or subcommittee shall be taken only when the bill is in print, including any previously adopted amendments to the bill. A vote on passage of an amended bill, when the amended form of the bill is not in print, may be taken only if the sole effect of the amendment is to add coauthors to the bill or if the committee determines that the effect of the amendment upon the bill can be readily understood by all of the members and audience present at the hearing. In that circumstance, any member may require that the amendments be in writing at the time of their adoption.

Bill Analysis Prior to Third Reading

68.6. A bill, concurrent resolution, or joint resolution may not be considered on third reading unless and until an analysis of the measure has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

Analysis of Conference Committee Amendments

68.7. A report of a conference committee on any bill, other than the Budget Bill, that recommends the substantive amendment of a bill may not be considered unless and until an analysis of the proposed amendment has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

Printing of Conference Committee Reports

68.8. A conference report may not be heard by the Assembly until it has been in print for two days prior to being taken up by the house.

Conference Committee: Substantial Policy Change

68.9. (a) A conference committee on any bill, other than the Budget Bill or a bill that is making statutory changes to implement the Budget Bill, may not approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Assembly within the current legislative session. For purposes of this rule, the most recent action of a policy committee with regard to a substantial policy change is deemed the only action taken when the policy committee has taken inconsistent actions with respect to a substantial policy change.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term “heard” means that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session; or that an amendment, which was drafted and given a request number or approved as to form by the Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

Amendments From the Floor

69. (a) Any Member may move to amend a bill during its second or third reading, and that motion to amend may be adopted by a majority vote of the Members present and voting.

Amendments to a bill offered from the floor, except committee amendments reported with bills, amendments offered with a motion to amend and re-refer a bill to committee, amendments deleting any number of words, or amendments previously printed in the Journal, are not in order unless and until a copy of the proposed amendments has been placed upon the desks of the Members. A copy of a bill that has been amended only to add coauthors to the bill is not required to be placed upon the desks of the Members if both the Speaker and Minority Leader grant an exemption.

Amendments offered from the floor during a bill’s second or third reading shall be prepared, or approved as to form, by the Legislative Counsel.

Before debate five copies of the proposed amendment to Assembly bills, and five copies of the proposed amendments to Senate bills, shall be delivered to the Chief Clerk's desk. One copy of the proposed amendment shall be transmitted by the Chief Clerk to the Assembly Floor Analysis Unit. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he or she may determine to be necessary.

(b) (1) Amendments from the floor during a bill's second or third reading that would make a substantive change in the bill shall be submitted to the Chief Clerk's desk by 5:00 p.m. or the time of adjournment, whichever is later, the business day before the start of session on the legislative day at which they are to be considered.

(2) Upon receipt of the proposed amendments by the Chief Clerk, an analysis shall be prepared by the committee of origin in conjunction with the Assembly Floor Analysis Unit, and a copy of that analysis shall be distributed to each Member's desk prior to the beginning of debate on adoption of the proposed amendments, unless otherwise ordered by the Speaker.

(3) As used in this subdivision, "bill" does not include a joint or concurrent resolution, but does include a constitutional amendment.

(c) Paragraph (1) of subdivision (b) does not apply to (1) amendments to a bill taken up without reference to file, (2) amendments to a bill to add or delete an urgency clause, (3) amendments to a bill that are identical to other amendments submitted to the Chief Clerk's desk in accordance with the requirements of this rule, (4) amendments to the Budget Bill or to a bill that is making statutory changes necessary to implement the Budget Bill, or (5) amendments to a bill to make the bill contingent upon the enactment of another bill, or to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.

(d) Any bill amended on the second or third reading file shall be ordered reprinted and returned to the third reading file, and may not be acted on by the Assembly until the bill, as amended, has been on the Daily File for one calendar day. This subdivision does not apply to a bill that is amended to add or delete an urgency clause or to a bill that is amended to make statutory changes to implement the Budget Bill.

(e) A motion to amend a bill on the second or third reading file, other than committee amendments reported pursuant to Rule 57, is not in order on (1) the last two legislative days preceding the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution or (2) the last seven days preceding the scheduled commencement of the interim study recess or the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly. Paragraph (1) or (2) may be suspended temporarily by two-thirds vote of the Members present and voting. This subdivision does not apply to amendments to a bill to add or delete an urgency clause, or to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.

Consideration of Political Reform Act Bills

69.1. Pursuant to Section 81012 of the Government Code, any bill that would amend the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code) may not be passed until, 12 days prior to being considered for passage, the bill in its final form has been delivered by the Chief Clerk to the Fair Political Practices Commission for distribution to the news media and to every person who has requested the commission to send a copy of any such bill to him or her.

**Electronic Distribution of Bills,
Conference Reports, Amendments, and Analyses**

69.5. Any requirement that bills, conference reports, amendments, or an analysis be placed on the desks of the Members is satisfied by electronic distribution of the same information in portable document format (PDF) via computer to the desk of the Members through the Assembly Floor System, unless otherwise ordered by the Speaker.

Consideration of Bills Re-referred to Committee

70. Whenever a bill that has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and may not be transferred therefrom to the third reading file until the following day.

Uncontested Bills

71. A bill may not be placed on the Assembly Consent Calendar unless it has met the requirements of Joint Rule 22.1 with respect to each Assembly standing committee to which the bill has been referred.

Consideration of Concurrent and Joint Resolutions

73. A concurrent or joint resolution may be amended by a majority vote of the Members present and voting. The ayes and noes may not be called upon the adoption of concurrent resolutions, except those authorizing expenditures of money, unless regularly demanded, or required by statute or the California Constitution.

Adoption of Resolutions

74. Any resolution upon which a roll call vote is demanded requires an affirmative recorded vote of 41 or more Members for adoption.

The adoption of any resolution authorizing the expenditure of money requires an affirmative recorded vote of 41 or more Members.

Printing of Resolutions

75. When any previously printed house resolution is before the Assembly for adoption, it may be printed in the Journal only if amendments to it have been adopted, in which case it shall be printed as amended. In the absence of those amendments, house resolutions before the Assembly for adoption shall be referred to by day and page of the Journal as printed upon introduction. For the purposes of this rule, the adding of a coauthor shall not be deemed an amendment.

Concurrence in Senate Amendments

77. Concurrence in any Senate Amendment to an Assembly bill requires the same affirmative recorded vote as the vote required by the California Constitution for the passage of the bill. A vote on concurrence may not be taken until the bill has been on the unfinished business file for one calendar day, except that when the bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly, it may be acted upon immediately. The vote on concurrence shall be deemed the vote upon final passage of the bill.

Senate amendments to Assembly bills may not be concurred in unless and until an analysis of the measure has been distributed by the Assembly Floor Analysis Unit and a copy placed upon the desks of the Members, unless otherwise ordered by the Speaker. As used in this rule, "bill" does not include a joint or concurrent resolution, but does include a constitutional amendment.

Digest of Bills Amended in Senate

77.1. Whenever the Senate amends and passes an Assembly bill, the Legislative Counsel shall, within one day after the bill is passed by the Senate, prepare and transmit to the Chief Clerk and the Speaker a brief digest summarizing the effect of the Senate amendment. Upon receipt from the Legislative Counsel, the Chief Clerk shall cause the digest to be printed in the Daily File immediately following any reference in the file to the bill covered by the digest.

Substantially Amended Bills

77.2. If the analysis of an amendment adopted on the floor discloses that the amendment makes a substantial substantive change to a bill as passed by the last committee of reference, the bill, as amended, may be referred by the Speaker to the appropriate committee.

A bill that was previously reported from a policy or fiscal committee of reference in compliance with Joint Rule 61 is not subject to the deadlines in Joint Rule 61 if the bill is subsequently referred to a policy or fiscal committee pursuant to this rule.

If the digest to an Assembly Bill that has been returned to the Assembly by the Senate for concurrence in Senate amendments discloses that the Senate has made a substantial substantive change in the bill as first passed by the Assembly, the bill may be referred by the Speaker to the appropriate committee.

Inactive File

78. Whenever a bill has been passed twice on the third reading file on two successive legislative days, it shall be placed forthwith upon a special file to be known as the inactive file. A bill also may be placed on the inactive file at the request of the author. When a bill has been placed on the inactive file, it may be returned to the third reading file by request of the author. Notice of the request to return the bill to the third reading file shall be published one day in advance in the Assembly File. The bill, when returned to the third reading file, shall then be placed at the foot of the third reading file.

When a bill, placed on the inactive file from the second reading file or the unfinished business file, is removed from the inactive file, it shall be returned to the foot of the second reading file or the unfinished business file, respectively, in the next published Daily File.

Engrossing and Enrolling Bills

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills that come to his or her hands for that purpose, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

After final passage by both houses, any Assembly bill not amended by the Senate shall be ordered by the Speaker forthwith to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Chief Clerk shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

VI. PARLIAMENTARY PROCEDURE

A. Motions and Questions

Precedence of Motions During Debate

80. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

- First—To adjourn;
- Second—To recess to a time certain;
- Third—To lay on the table;
- Fourth—For the previous question;
- Fifth—To set as a special order;
- Sixth—To postpone indefinitely;
- Seventh—To refer to or to re-refer;
- Eighth—To amend.

Questions of Order Decided Without Debate

81. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 80 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

82. Any Member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another Member has the floor. An appeal is not in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken. Upon the appeal being seconded, the Speaker may give his or her reasons for the decision, and the Member making the appeal may give his or her reasons for the appeal, and the Speaker forthwith shall put one of the following questions to the Assembly:

- (1) "Shall the decision of the Speaker be sustained?"
- (2) "Shall the decision of the Speaker be overruled?"

An appeal may not be amended and yields only to a motion to recess or adjourn, or to lay on the table, or a question of personal privilege. If an appeal is laid on the table, that action shall have no effect on the pending question.

An appeal may not be debated when relating to indecorum, the transgression of rules, or the priority of business. A majority vote of the Members present and voting decides any appeal. In the event of a tie vote, the appeal is lost.

Speaker Explains Order of Business

83. The Speaker may, on his or her own motion or the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation may not consume more than two minutes.

To Adjourn

84. A motion to adjourn is not debatable and may not be amended, and is always in order, except: (a) when another Member has the floor; (b) when the Assembly is voting; or (c) during a call of the Assembly. The name of any Member moving an adjournment, and the hour at which the motion was made and adjournment taken, shall be entered in the Journal. A motion to adjourn shall be adopted by a majority vote of the Members present and voting.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any Member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. That statement may not occupy more than two minutes and is not debatable.

An affirmative recorded vote of a majority of the duly elected and qualified Members is required to adjourn any session of the Assembly *sine die*.

To Recess to a Time Certain

85. A motion to recess to a time certain is treated the same as a motion to adjourn, except that the motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table

86. A motion to lay on the table is not debatable and may not be amended.

A motion to table a bill, constitutional amendment, or concurrent or joint resolution is adopted by an affirmative recorded vote of 41 or more Members.

Any motion to lay on the table, if carried by 41 or more votes, carries with it the main question and everything that adheres to it, except that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, or concurrent, joint, or house resolution.

A motion to lay an amendment on the table is adopted by a majority vote of the Members present and voting.

A motion to lay on the table may not be applied with respect to reconsideration.

The Previous Question

87. The previous question shall be put only when demanded by five Members, and its effect, when sustained by a majority vote of the Members present and voting, shall be to put an end to all debate and bring the Assembly to a vote only on the question then pending, except that the proponent of the matter pending shall be allowed not more than five minutes to close the debate.

Motion to Set Special Order

88. A motion to set any matter before the Assembly as a special order of business is adopted by an affirmative recorded vote of 54 or more members. The motion is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain

89. A motion to postpone to a time certain is deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely

90. The making of a motion to postpone indefinitely any bill, motion, or amendment opens the main question to debate. If the motion to postpone indefinitely prevails by an affirmative recorded vote of 41 or more Members, the main question may not be acted upon again during the session.

Motion to Amend

91. A motion to amend may itself be amended, but an “amendment to an amendment” may not be amended. A motion to substitute is deemed to be a motion to amend and is considered the same as an amendment.

Only one substitute is in order when an amendment is pending. A motion to amend or to substitute is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the Members present and voting.

A motion to amend that is decided in the negative is not again in order on the same day, or at the same stage of proceeding. The fact that a motion to amend by striking out certain words is decided in the negative does not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words, except that in no case may a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule and Rule 69, a motion to amend is in order during the second or third reading of any bill.

Amendment To Be Germane

92. An amendment to any bill, other than a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, whether reported by a committee or offered by a Member, is not in order when the amendment relates to a different subject than, is intended to accomplish a different purpose than, or requires a title essentially different than, the original bill.

A motion or proposition on a subject different from that under consideration may not be admitted as an amendment.

An amendment is not in order that changes the original number of any bill.

A Member may not be added or deleted as an author or coauthor of a bill or resolution without his or her consent.

Consideration of Motions

93. A motion, whether oral or written, may not be adopted until it is seconded and distinctly stated to the Assembly by the Speaker.

Motions in Writing

94. Upon request of the Speaker, all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before being acted upon.

Withdrawal of Motions

95. After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Chief Clerk, it is in the possession of the Assembly.

Motion to Withdraw or Re-refer Bills

96. (a) A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee, may be made during the regular order of business. A motion to re-refer may be debated only as to the propriety of the reference, and shall require an affirmative recorded vote of 41 or more Members.

(b) A bill or resolution may not be withdrawn from committee and placed upon the file, unless a motion to withdraw has been heard by, and has been approved by a majority vote of, the Committee on Rules. This subdivision does not apply to a bill in a fiscal committee that has been amended so as not to require its reference to a fiscal committee, as indicated by the Legislative Counsel's Digest.

(c) A motion to continue a motion to withdraw a bill or resolution from committee requires a majority of those members present and voting. A motion to withdraw a motion to withdraw is not in order.

Re-reference of Measures on File

97. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion is debatable only as to the propriety of that reference and shall require an affirmative recorded vote of 41 or more Members.

Bills Stricken From File

98. A motion to strike from the file any bill or resolution requires an affirmative recorded vote of 41 or more Members. That bill or resolution may not be acted upon again during the session.

Motion to Rescind Action or Expunge Record

99. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by the affirmative recorded vote sufficient to take that action originally, except that an action may not be rescinded and the record expunged by a vote less than an affirmative recorded vote of 41 or more Members. A motion to rescind the action and expunge the record may not be made twice on the same proposition.

A motion to rescind is not in order on any matter upon which a vote to reconsider has previously been taken in the Assembly.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged may not appear in

any form whatsoever, except that the record of the proceedings on the motion to rescind and expunge shall appear in the Journal as and when printed.

Reconsideration of Vote

100. (a) A motion to reconsider a vote on the next legislative day shall be made on the same day the vote to be reconsidered was taken. A motion to reconsider may not be adopted unless it receives an affirmative recorded vote of 41 or more Members. A motion to reconsider may be voted on without a second.

A motion to reconsider a vote shall be made by a Member voting on the question, and takes precedence over all motions, except a motion to adjourn. Upon that motion being made, the matter to be reconsidered forthwith shall be placed upon the unfinished business file, and further action may not be taken prior to the next legislative day. When a motion to reconsider has once been made, the motion is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status it had prior to the vote being reconsidered.

(b) (1) Interim Study Recess:

No motion to reconsider the vote whereby amendments are concurred in on Assembly bills, the vote whereby a Senate bill is passed and returned to the Senate, or the vote whereby a conference committee report is adopted is in order on the last two legislative days preceding the interim study recess.

A motion to reconsider the vote whereby amendments are refused concurrence on Assembly bills, the vote whereby Senate bills are refused passage, or the vote whereby a conference committee report is refused adoption is in order on the last legislative day preceding the interim study recess. The motion may be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include a joint or concurrent resolution.

(2) January 31—Even-numbered Year:

A motion to reconsider the vote whereby an Assembly bill is passed to the Senate is not in order on the last two legislative days preceding January 31 of the even-numbered year.

A motion to reconsider the vote whereby an Assembly bill is refused passage on its third reading is in order on the last legislative day preceding January 31 of the even-numbered year. The motion must be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(3) Spring or Summer Recess:

A motion to reconsider the vote whereby a bill is passed is not in order on the last two legislative days preceding the Spring or Summer Recess as established by the Joint Rules of the Senate and Assembly.

(4) Deadline for Passage by House:

A motion to reconsider the vote whereby an Assembly bill is passed to the Senate is not in order on the last two legislative days preceding the last day for the Assembly to pass a bill introduced in the Assembly, as set forth in the Joint Rules of the Senate and the Assembly.

As used in this paragraph, "bill" does not include a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(5) Final Recess:

A motion to reconsider the vote whereby a bill is passed is not in order on the last two legislative days preceding the final recess.

A motion to reconsider the vote whereby a bill is defeated is in order on the day of the final recess. The motion must be taken up before the end of that legislative day.

(c) Any Member voting on any matter may move to take up on the same day the motion, previously made by another Member, to reconsider the vote on that matter. A motion to take up on the same day a motion to reconsider the vote on a bill requires an affirmative recorded vote of at least 41 Members. A motion to take up on the same day a motion to reconsider the vote on any motion, amendment, Assembly resolution, or proposition other than a bill requires an affirmative vote of a majority vote of the Members present and voting. The motion to take up the reconsideration on the same day takes precedence over the motion to reconsider and, upon demand of any Member, the motion to take up the reconsideration on the same day shall be put to an immediate vote. If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider is the next order of business before the Assembly.

(d) A second motion to reconsider the same question is not in order, nor is a motion to reconsider reconsideration in order.

(e) A motion to continue a motion to reconsider requires a majority vote of those Members present and voting.

Call of Assembly

101. After the roll has been called, and prior to the announcement of the vote, any Member may move a call of the Assembly. The Members present may order a call of the Assembly by a majority vote of the Members present and voting, and the Speaker shall immediately order the Sergeant at Arms to lock all doors and direct the Chief Clerk to prepare a list of absentees as disclosed by the last roll call. The list of absentees shall be furnished to the Sergeant at Arms, whereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and a person may not be permitted to enter except Members, Senators, or officers, or employees of the Legislature in the official performance of their duties.

Each Member who is found to be absent, and for whom a leave of absence has not been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms, his or her assistants, or any person designated by the Sergeant at Arms, including members of the California Highway Patrol, and sheriffs or their deputies, and brought to the Assembly Chamber.

A recess or adjournment may not be taken during a call of the Assembly. Additional business may be conducted and calls placed regardless of the number of calls in effect. A call of the Assembly may be dispensed with at any time upon a majority vote of the Members present, that action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered, unless, prior to the announcement of the vote, the call is continued by a majority vote of the Members present.

Division of Question

102. Any Member may call for a division of the question, and the Speaker shall order the question divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition would remain for the decision of the Assembly. This rule does not apply to an individual bill or resolution.

B. Voting

Members Voting

104. Every Member in the Assembly Chamber when a roll call is required shall record his or her vote openly and without debate, unless the Assembly excuses that member by a majority vote of the Members present and voting.

A Member may not operate the voting switch of any other Member, except that a Member presiding at the time of a roll call, who is not the Speaker or the Speaker pro Tempore, may direct another Member on the floor to operate the voting switch of the presiding Member, and any Member so presiding, including the Speaker and the Speaker pro Tempore, may also operate the voting switches at the rostrum of the Speaker and the Speaker pro Tempore, at their direction.

The name of any Member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal, together with a statement that he or she was present and did so refuse to vote. Any Member who refuses so to vote may, if he or she so desires, and immediately after the announcement of the vote, submit a written explanation of the failure to vote and that explanation shall be printed in the Journal, provided that no explanation may exceed 50 words in length.

In addition to the entry of his or her name in the Journal, any Member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, at the discretion of the Speaker or upon demand of any Member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any Member designated by the Speaker. Censure of a Member as provided by this rule does not constitute a bar to proceedings for his or her expulsion from the Assembly pursuant to Section 5 of Article IV of the California Constitution.

A Member may submit a written explanation of his or her vote on any bill or house resolution, and that explanation shall be printed in the Journal immediately following the vote, provided that no explanation may exceed 50 words in length.

A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to add his or her vote to any previously announced vote that had been taken during his or her absence, so long as the outcome of the vote is not thereby changed. The Chief Clerk shall record any vote additions or vote changes in the order signed by the Members at the Clerk's desk.

Ayes and Noes

105. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, when an affirmative recorded vote of 41 Members or any vote above that number is required, when demanded by three Members, or when ordered by the Speaker. The names of the Members so voting shall be entered in the Journal.

Voting and Vote Changes

106. When once begun, voting may not be interrupted, except that, before the vote is announced, any Member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote, the presiding officer shall instruct the Chief Clerk to record verbal votes from Members not at their desks. Any Member may move a call of the Assembly after the completion of the roll. A Member, prior to adjournment on the same legislative day, and in the absence of any objection, may instruct the Chief Clerk to change his or her recorded vote after the vote is announced, so long as the outcome of the vote is not thereby changed. The Chief Clerk may record any vote change only after the Member making the change has announced it to the Assembly.

Tie Vote

107. In case of an equal division, or tie vote, the question shall be lost.

VII. MEMBERS' DECORUM AND PRIVILEGES

Order in Speaking to Questions

108. When a Member desires to address the Assembly, the Member shall rise from his or her seat and respectfully address himself or herself to "Mr. Speaker" or "Madame Speaker." Upon being recognized, the Member may speak, confining himself or herself to the question under consideration. When two or more Members rise at the same time, the Speaker shall designate the Member who is entitled to the floor.

A Member may not speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question has the right to open and close the debate thereon. A Member may not be allowed to speak more than five minutes to open and five minutes to close the debate on any question, including amendments, and no Member other than the author or the mover of the question may be allowed to speak more than five minutes thereon. A Member may not yield to any other Member the time for which he or she is entitled to speak on any matter.

Rules of Decorum

108.1. (a) In accordance with Rule 10, Members of the Assembly shall conduct themselves in accordance with the rules of decorum specified in Sections 120 to 126, inclusive, of Mason's Manual of Legislative Procedure.

(b) Notwithstanding subdivision (a), the Committee on Rules may adopt additional rules of decorum by majority vote of the membership of the committee.

Motions

109. When a Member desires to make a motion, the Member shall obtain recognition as provided in Rule 108. Upon being recognized, the Member shall open by stating his or her motion, except in the case of a nomination, and in any other case may not speak to the merits of the motion at that time, but shall confine his or her remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debated, the Member who made it shall then be entitled to recognition to open the debate on the motion.

When a Member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, the Member may not be permitted to conclude his or her debate by making any motion or by demanding the previous question.

Leave of Absence

110. A Member may not absent himself or herself from attendance at any session of the Assembly without leave of the Assembly. A Member may not obtain that leave of absence or be excused for nonattendance except by a vote of 54 or more Members or by unanimous consent. A Member who obtains a leave of absence for personal business, or is excused for nonattendance for personal business, thereby waives his or her per diem allowance for attendance upon any session of the Legislature for which he or she secures that leave of absence or excuse. A Member may not obtain a leave of absence for legislative business or be excused for nonattendance for legislative business unless the Member has filed with the Speaker a statement of the legislative business for which he or she seeks that leave of absence or excuse. That statement shall be printed in the Journal.

If a Member is not recorded on the attendance roll within 30 minutes after the scheduled start of the session, the Member shall stand up before the Assembly and explain the reason he or she is late before he or she is recorded on the roll call for any vote. If a Member does not explain his or her reason for being late, any other Member may raise a point of order under this rule, whereupon the tardy Member's vote may not be recorded until an explanation is made.

Personal Privilege

111. Any Member may rise to explain a matter of personal privilege. A matter of personal privilege is a matter involving the Member's integrity, dignity, or honor. Upon rising to explain such a matter, the Member forthwith shall be recognized by the Speaker, but may not discuss a question in that explanation. Matters of personal privilege yield only to a motion to recess or adjourn.

Objection to Reading of Any Paper

112. Any Member, upon recognition by the Speaker, may object to the reading of any paper before the Assembly. When that objection is made, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement by the Speaker of the substance of the objection.

Members at Chief Clerk's Desk

113. A Member or other person may not be allowed at the Chief Clerk's desk while the ayes and noes are being recorded or the votes counted.

Members Called to Order for Transgressing Rules

114. If any Member transgresses the Rules of the Assembly, the Speaker shall, or any Member may, call the offending Member to order. The Member so called to order immediately shall take his or her seat, until the Speaker, without debate, has determined whether the Member is in order. That decision by the Speaker shall be subject to an appeal to the Assembly.

If any Member is called to order for offensive words spoken in

debate, the person calling him or her to order shall state to the Assembly the words to which exception is taken. No Member may be held to answer, or be subject to censure by the Assembly, for language used in debate if other business has been transacted by the Assembly prior to exception being taken to the words spoken.

VIII. MISCELLANEOUS

Committee of the Whole

115. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the Members present and voting. While sitting as that committee, persons other than Members may address the committee. The Speaker of the Assembly, or any Member named by the Speaker, shall preside as Chairperson of the Committee of the Whole.

A motion that the Committee of the Whole “do now rise and report back to the Assembly,” shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairperson, but may not be entered in the Journal except upon motion and a majority vote of the Members present and voting.

Use of Assembly Chamber

116. The Assembly Chamber may not be used for any public or private business, other than legislative matters, except upon approval of the Speaker or the Chair of the Committee on Rules.

Use of Assembly Facilities: Smoking

117. The smoking of tobacco products is prohibited within any building, or portion of a building, occupied or used by Assembly Members or employees if the building or portion of the building is under the jurisdiction or control of the Assembly. This smoking prohibition shall apply to any outdoor area within five feet of an entrance or exit to any building or portion of a building subject to this rule. This smoking prohibition shall apply to the Assembly Chamber, Assembly hearing rooms, and Assembly offices, and to hallways, stairways, and bathrooms within any building or portion of a building subject to this rule.

Floor of the Assembly: Telephones

117.5. A cellular telephone may not be used on the floor of the Assembly during any session of the Assembly.

Meeting of the Assembly: Firearms

117.7. A person, except a peace officer acting within the scope of his or her employment, may not carry or possess a firearm on the floor of the Assembly during any session of the Assembly or in a committee hearing room during any meeting of a committee or subcommittee.

Persons Admitted to Floor of the Assembly

118. A person other than Members of the Legislature, officers, employees of the Legislature, accredited members of the press, and guests may not be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member may be admitted only upon presentation of a guest card of the Member countersigned by the Speaker. A guest card is valid only on the legislative day for which it is issued. A lobbyist, as defined by Section 82039 of the Government

Code, may not, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session.

Persons admitted to the Assembly Chamber, other than Members, may not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

Guests may be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber, and may not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative may be permitted to sit at the press desks. A special section in the balcony may be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person, except a Member of the Legislature, may engage in influencing the passage or defeat of legislation in the Assembly Chamber.

A person other than a Member of the Legislature, the Sergeant at Arms or his or her assistants, the Chief Clerk or his or her assistants, or the Legislative Counsel or his or her representatives, may not be permitted in the area of the floor of the chamber which is occupied by the desks of the Members.

Business Attire

118.1. Notwithstanding any other provision of these Rules, a Member of the Legislature, officer or employee of the Legislature, accredited member of the press, or any other person may be admitted to the floor of the Assembly during any session only if dressed in appropriate business attire.

Qualifications and Elections of Members

119. An affirmative vote of 41 or more Members shall be required to determine the qualifications and election of any Member pursuant to Section 5 of Article IV of the California Constitution. A motion to disqualify a Member is not in order at the convening of a legislative session until a Speaker has been elected in accordance with Section 9023 of the Government Code.

Compensation and Expenses of Member Convicted of Felony

120. If a Member of the Assembly is convicted of a felony by a superior court, his or her right to further compensation or expenses is thereupon suspended, and his or her membership on any committee is thereupon suspended. If the conviction becomes final, the right of the Member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the state. If the conviction is reversed by an appellate court or a motion for a new trial is granted, and the Member is thereafter found not guilty or the charges against him or her are dismissed, the amounts of the withheld compensation or expenses shall be paid to the Member and the suspension of his or her committee membership shall terminate.

Whenever a Member is convicted of a felony in the superior court, the Committee on Rules shall give written notice thereof to the Controller, directing him or her to discontinue any further payments to the Member unless and until the Committee on Rules notifies the Controller that the Member has been found not guilty or that the charges against him or her are dismissed. The Controller may not draw any warrant payable to that Member except as provided in this rule.

The Seal of the Assembly

121. The Seal of the Assembly may be used only by or on behalf of a Member of the Assembly, or when specifically authorized by the Committee on Rules.

CONSIDERATION OF HOUSE RESOLUTION NO. 1

On motion of Assembly Member Montañez, House Resolution No. 1 was taken up.

HOUSE RESOLUTION NO. 1—Relative to the Standing Rules of the Assembly for the 2005–06 Regular Session.

Resolution read.

Motion by Assembly Member Cogdill

Assembly Member Cogdill moved that the adoption of the Rules be postponed until the first session in January.

Assembly Member McCarthy seconded the motion.

The roll was opened and the Cogdill motion lost by the following vote:

AYES—33

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

NOES—44

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

**Further Consideration of House Resolution No. 1
Unanimous Consent Granted**

In the absence of objection, Assembly Member Keene spoke in debate on House Resolution No. 1, subsequent to the closing of debate.

The question being on the adoption of the resolution.

The roll was opened and House Resolution No. 1 adopted by the following vote:

AYES—44

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

NOES—33

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

House Resolution No. 1 ordered engrossed immediately.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 2

By Assembly Member Núñez.

*Relative to election of officers of the Assembly for
the 2005–06 Regular Session.*

Resolved by the Assembly of the State of California, That the following named persons constitute officers of the Assembly for the 2005–06 Regular Session:

E. Dotson Wilson, Chief Clerk
 Ronald E. Pane, Chief Sergeant at Arms
 Father Constantine C. Pappademos, Chaplain
 Reverend Ivan L. Williams, Sr., Alternate Chaplain

CONSIDERATION OF HOUSE RESOLUTION NO. 2

On motion of Assembly Member Frommer, House Resolution No. 2 was taken up.

HOUSE RESOLUTION NO. 2—Relative to election of officers of the Assembly for the 2005–06 Regular Session.

Resolution read and adopted by the following vote:

AYES—78

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

NOES—None

Whereupon Speaker Núñez declared the following officers elected as the choice of the Assembly for the 2005–06 Regular Session of the Legislature:

E. Dotson Wilson, Chief Clerk; Ronald E. Pane, Sergeant-at-Arms; Father Constantine C. Pappademos, Chaplain; and Rev. Ivan L. Williams, Sr., Alternate Chaplain.

OATHS OF OFFICE ADMINISTERED

Chief Clerk-elect E. Dotson Wilson, Chief Sergeant-at-Arms-elect Ronald E. Pane, Chaplain-elect Father Constantine C. Pappademos and Alternate Chaplain-elect Rev. Ivan L. Williams, Sr., appeared at the bar of the Assembly and took and subscribed to the following oath of office, administered by the Honorable Teresa Sanchez-Gordon, Judge of the Superior Court, County of Los Angeles:

OATH

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 3

By Assembly Member Montañez.

*Relative to the organization of the Assembly for the
2005–06 Regular Session.*

Resolved by the Assembly of the State of California, That, during the organizational recess, no bill shall be placed on the Desk for introduction except by a person designated by the author in writing. The designation shall be filed with the Chief Clerk; and be it further

Resolved, That the Chief Clerk or the Sergeant at Arms is authorized to receive from the Controller all warrants for the payment of Members, officers, and attachés of the Assembly; and be it further

Resolved, That the Chief Clerk shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.

CONSIDERATION OF HOUSE RESOLUTION NO. 3

On motion of Assembly Member Montañez, House Resolution No. 3 was taken up.

HOUSE RESOLUTION NO. 3—Relative to the organization of the Assembly for the 2005–06 Regular Session.

Resolution read and adopted by the following vote:

AYES—78

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

NOES—None

COMMUNICATIONS

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

December 6, 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 the following members to the Democratic Leadership for the 2005–06 Regular Session:

Speaker pro Tempore	Hon. Leland Yee
Assistant Speaker pro Tempore	Hon. Sally Lieber
Majority Floor Leader	Hon. Dario Frommer
Assistant Majority Floor Leader	Hon. Rebecca Cohn
Majority Whip	Hon. Karen Bass
Assistant Whip	Hon. Lori Saldaña
Democratic Caucus Chair	Hon. Mark Ridley-Thomas
Rules Committee Chair	Hon. Cindy Montañez
Member of Rules	Hon. Betty Karnette
Member of Rules	Hon. Mervyn Dymally
Member of Rules	Hon. Joe Baca Jr.
Member of Rules	Hon. Joe Coto
Member of Rules—Alternate	Vacant
Budget Committee Chair	Hon. John Laird
Appropriations Committee Chair	Hon. Judy Chu

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 6, 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 made the following appointments to Assembly Standing and Subcommittees, effective today, December 6, 2004:

Agriculture

I have appointed Assemblymember Barbara Matthews as Chair of the committee.

Appropriations

I have appointed Assemblymember Judy Chu as Chair of the committee.

Arts, Entertainment, Sports, Tourism and Internet Media

I have appointed Assemblymember Ed Chavez as Chair of the committee.

Banking and Finance

I have appointed Assemblymember Ron Calderon as Chair of the committee.

Budget

I have appointed Assemblymember John Laird as Chair of the committee.

Budget Subcommittee #1—Health and Human Services

I have appointed Assemblymember Hector De La Torre as Chair of the subcommittee.

Budget Subcommittee #2—Education Finance

I have appointed Assemblymember Mervyn Dymally as Chair of the subcommittee.

Budget Subcommittee #3—Resources

I have appointed Assemblymember Fran Pavley as Chair of the subcommittee.

Budget Subcommittee #4—State Administration

I have appointed Assemblymember Rudy Bermúdez as Chair of the subcommittee.

Budget Subcommittee #5—Information Technology/Transportation

I have appointed Assemblymember Pedro Nava as Chair of the subcommittee.

Business and Professions

I have appointed Assemblymember Gloria Negrete McLeod as Chair of the committee.

Education

I have appointed Assemblymember Jackie Goldberg as Chair of the committee.

Elections and Redistricting

I have appointed Assemblymember Tom Umberg as Chair of the committee.

Environmental Safety and Toxic Materials

I have appointed Assemblymember Ira Ruskin as Chair of the committee.

Governmental Organization

I have appointed Assemblymember Jerome Horton as Chair of the committee.

Health

I have appointed Assemblymember Wilma Chan as Chair of the committee.

Higher Education

I have appointed Assemblymember Carol Liu as Chair of the committee.

Housing and Community Development

I have appointed Assemblymember Gene Mullin as Chair of the committee.

Human Services

I have appointed Assemblymember Noreen Evans as Chair of the committee.

Insurance

I have appointed Assemblymember Juan Vargas as Chair of the committee.

Jobs, Economic Development and the Economy

I have appointed Assemblymember Juan Arambula as Chair of the committee.

Judiciary

I have appointed Assemblymember Dave Jones as Chair of the committee.

Labor and Employment

I have appointed Assemblymember Paul Koretz as Chair of the committee.

Local Government

I have appointed Assemblymember Simon Salinas as Chair of the committee.

Natural Resources

I have appointed Assemblymember Loni Hancock as Chair of the committee.

Public Employees, Retirement and Social Security

I have appointed Assemblymember Alberto Torrico as Chair of the committee.

Public Safety

I have appointed Assemblymember Mark Leno as Chair of the committee.

Revenue and Taxation

I have appointed Assemblymember Johan Klehs as Chair of the committee.

Utilities and Commerce

I have appointed Assemblymember Lloyd Levine as Chair of the committee.

Veterans Affairs

I have appointed Assemblymember Mike Gordon as Chair of the committee.

Water, Parks and Wildlife

I have appointed Assemblymember Lois Wolk as Chair of the committee.

Joint Legislative Audit Committee

I have appointed Assemblymember Nicole Parra as Chair of the committee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

The following communications were presented by the Chief Clerk and ordered printed in the Journal:

December 6, 2004

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

Dear Mr. Wilson,

I am submitting this letter to inform you that the Republican Caucus has again elected me to serve as the Republican Leader. This election was held on Thursday, November 4, 2004.

I am honored to serve as the Republican Leader.

Sincerely,

KEVIN McCARTHY

Per Diem Waiver

December 6, 2004

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

Dear Mr. Wilson: This letter is to state for the record that I choose to waive my in session per diem for the 2005–06 legislative session.

Thank you for your assistance.

Sincerely,

DAVE JONES, Assembly Member
Ninth District

Per Diem Waiver

December 2, 2004

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

Dear Mr. Wilson: This is to notify you that I do not wish to receive any per diem payments.

Thank you for your assistance in this matter.

Sincerely,

ROGER NIELLO, Assembly Member-elect
Fifth District

Per Diem Waiver

December 6, 2004

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

Dear Mr. Wilson: This is to state for the Assembly Journal record that I have decided to decline per diem for the 2005–06 legislative session.

Thank you for your attention to this matter.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

**At 12:32 p.m., Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following schedule:

Floor Session, Monday, January 3, 2005, 12 Noon

State of the State Address by the Governor, Wednesday, January 5, 2005, 5 p.m.

DESK HELD OPEN

Speaker pro Tempore Yee announced that the Assembly Desk would be open until 4 p.m. today for the purpose of introduction of bills.

ADJOURN IN MEMORY

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former state Senator Alfred H. Song, who served in the Assembly from 1963–1966 and in the Senate from 1967–1978; Bion Gregory, who served as the Legislative Counsel of California from 1976 to 2001; and Jeff Arthur, Chief Consultant for the Committee on Natural Resources.

ADJOURN IN MEMORY

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Thomas Lee Rindels, of Palm Desert.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard C. Trudeau, of Lafayette.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tannis Brower, of Sacramento, and Lesley Peavey, of Antelope Valley.

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 Phoebe Ellen McGowan, of West Sacramento.

VOTE ADDS

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

House Resolution No. 1, Cogdill Motion: Cohn—Aye.

House Resolution No. 1: Canciamilla and Maze—No.

House Resolution No. 2: Mountjoy—Aye.

MOTION TO ADJOURN

At 1:26 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member McCarthy seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:27 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS PURSUANT TO ASSEMBLY RULE 47

Pursuant to the provisions of Assembly Rule 47, the following bills were introduced, read the first time, and ordered held at the Desk:

ASSEMBLY BILL NO. 1—Baca Jr. An act to amend Section 51008 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 2—Benoit and Harman. An act to amend Sections 6900, 6901, 6902, and 15505 of, and to repeal Sections 7100, 7300, 7578, and 7843 of, the Elections Code, relating to presidential electors.

ASSEMBLY BILL NO. 3—Blakeslee. An act to add Section 17208 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 4—Bogh and Garcia. An act to amend Sections 13352, 23546, 23550, 23550.5, and 23566 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 5—Canciamilla (Coauthors: Richman and Wolk). An act to amend Sections 10, 334, and 8125 of the Elections Code, relating to the Office of the Secretary of State.

ASSEMBLY BILL NO. 6—Chan and Vargas. An act to amend Sections 17041 and 17062 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 7—Cogdill (Principal coauthor: Maze) (Principal coauthor: Senator Cox) (Coauthor: La Malfa). An act to add Section 13007 to the Fish and Game Code, relating to sport fishing, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 8—Cohn. An act to amend Section 1367.635 of the Health and Safety Code and to amend Section 10123.86 of the Insurance Code, relating to health coverage.

ASSEMBLY BILL NO. 9—Coto. An act relating to education.

ASSEMBLY BILL NO. 10—Daucher. An act relating to health facilities.

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

ASSEMBLY BILL NO. 12—DeVore. An act to amend Section 5000 of, and to add Part 6 (commencing with Section 5800) to Division 5 of, the Probate Code, relating to nonprobate transfers.

ASSEMBLY BILL NO. 13—Goldberg (Coauthors: Bermúdez, Chan, Chavez, Chu, Cohn, Coto, Hancock, Koretz, Laird, Lieber, Montanez, Pavley, and Ridley-Thomas). An act to add Article 3.5 (commencing with Section 221.2) to Chapter 2 of Part 1 of the Education Code, relating to schools.

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

ASSEMBLY BILL NO. 15—Jerome Horton. An act to amend Section 51221.4 of the Education Code, relating to curriculum.

ASSEMBLY BILL NO. 16—Huff. An act to add Section 85305.5 to the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 17—Koretz. An act to add Section 516 to the Public Resources Code, relating to coastal resources.

ASSEMBLY BILL NO. 18—La Malfa. An act to amend Section 8686 of the Government Code, and to amend Sections 195.89, 17207, and 24347.5 of the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 19—Leno, Nunez, Goldberg, Koretz, Laird, and Lieber (Principal coauthors: Senators Kehoe, Kuehl, and Migden) (Coauthors: Calderon, Chan, Chu, Dymally, Evans, Hancock, Jones, Levine, Montanez, Nation, Ridley-Thomas, Ruskin, Saldana, and Yee) (Coauthors: Senators Cedillo and Simitian). An act to amend Sections 300, 301, and 302 of, and to add Section 403 to, the Family Code, relating to marriage.

ASSEMBLY BILL NO. 20—Leslie. An act to amend Section 54.3 of the Civil Code, relating to disabled persons.

ASSEMBLY BILL NO. 21—Levine. An act to add Section 4069 to the Business and Professions Code, relating to pharmacy.

ASSEMBLY BILL NO. 22—Lieber, Liu, and Senator Kuehl (Coauthors: Goldberg, Hancock, Matthews, Pavley, and Runner). An act to amend Section 14023 of, to add the heading of Chapter 7.5 (commencing with Section 181) to Title 7 of Part 1 of, and to add Sections 181.1, 181.2, 181.3, 181.4, 181.5, 181.6, 181.7, 13519.13, 13823.17, and 13823.18 to, the Penal Code, relating to human trafficking.

ASSEMBLY BILL NO. 23—Liu. An act to amend Section 66010.4 of, to amend and repeal Sections 84750 and 84751 of, and to add Article 1 (commencing with Section 84700) to Chapter 5 of Part 50 of, the Education Code, relating to community college finance.

ASSEMBLY BILL NO. 24—Maze. An act to add Section 4810 to the Fish and Game Code, relating to mountain lions.

ASSEMBLY BILL NO. 25—McCarthy. An act relating to elections.

ASSEMBLY BILL NO. 26—Mountjoy. An act to amend Section 1810.2 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 27—Mullin. An act to amend Sections 15202 and 30053 of, and to add Section 68502.6 to, the Government Code, and to amend Section 1037 of the Penal Code, relating to trial costs.

ASSEMBLY BILL NO. 28—Nakanishi. An act to add Article 8 (commencing with Section 390) to Chapter 4 of Division 1 of the Business and Professions Code, relating to health care.

ASSEMBLY BILL NO. 29—Nava (Coauthor: Chavez). An act to amend Section 17052.2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 30—Negrete McLeod. An act to amend Sections 20069, 20282, 20303, 20305, 20822, 20894, 20896, 21023, 21024, 21027, 21029, 21117, and 31649 of, and to add Sections 20772.5, 20823, 20935, 20992, and 21029.5 to, the Government Code, and to amend Sections 215, 228, and 256 of the Military and Veterans Code, relating to public employees' retirement, and making an appropriation therefor.

ASSEMBLY BILL NO. 31—Parra. An act relating to economic development.

ASSEMBLY BILL NO. 32—Pavley (Coauthors: Chan and Laird) (Coauthor: Senator Simitian). An act to amend Sections 42801 and 42823 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 33—Runner. An act to amend Section 272 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 34—Ruskin. An act to amend Section 25110 of the Revenue and Taxation Code relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 35—Spitzer. An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 36—Strickland. An act to add Article 6 (commencing with Section 36000) to Chapter 4 of Part 21 of the Education Code, relating to school district reorganization.

ASSEMBLY BILL NO. 37—Torrico. An act relating to taxation.

ASSEMBLY BILL NO. 38—Tran and Strickland. An act to amend Section 11564.5 of, and to add Section 11564.7 to, the Government Code, relating to state boards and commissions.

ASSEMBLY BILL NO. 39—Walters. An act to add and repeal Section 47605.4 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 40—Wolk and Frommer (Coauthors: Canciamilla, Daucher, Garcia, Richman, and Salinas). An act to amend Section 86205 of, and to add Sections 84211.5 and 86119 to, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 41—Yee. An act to add the heading of Chapter 7.5 (commencing with Section 181) to Title 7 of Part 1 of, and to add Sections 181.1, 181.2, 181.3, 181.4, 181.5, and 181.6 to, the Penal Code, relating to human trafficking.

**FURTHER INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 42—Nunez, McCarthy, and Senators Perata and Ackerman (Coauthors: Aghazarian, Arambula, Benoit, Bermudez, Bogh, Calderon, Canciamilla, Cohn, Coto, Daucher, De La Torre, DeVore, Emmerson, Evans, Garcia, Goldberg, Jerome Horton, Shirley Horton, Karnette, Levine, Liu, Matthews, Maze, Nava, Niello, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Sharon Runner, Spitzer, Tran, and Wolk) (Coauthors: Senators Escutia, Figueroa, Kehoe, Kuehl, Maldonado, Ortiz, George Runner, Speier, and Vincent). An act to repeal Section 12174 of the Government Code, relating to the California History Center, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 43—Vargas. An act to amend Section 15342 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 44—Cohn. An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 45—Maze. An act to amend Sections 6906 and 15505 of the Elections Code, relating to presidential electors.

ASSEMBLY BILL NO. 46—Walters. An act to amend Sections 11054 and 11056 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 47—Cohn. An act to amend Section 104900 of the Health and Safety Code, relating to pneumonia vaccines.

ASSEMBLY BILL NO. 48—Lieber (Principal coauthor: Senator Dunn). An act relating to employment.

ASSEMBLY BILL NO. 49—Benoit. An act to repeal and add Sections 45103.1, 45103.5, 88003.1, and 88004.5 of the Education Code, and to add Section 3562.3 to the Government Code, relating to public education.

ASSEMBLY BILL NO. 50—Leno. An act to amend Section 667 of the Penal Code, relating to sentencing.

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

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

ASSEMBLY BILL NO. 53—Negrete McLeod. An act relating to state government.

ASSEMBLY BILL NO. 54—Negrete McLeod. An act to amend Section 11011.15 of the Government Code, relating to state property.

ASSEMBLY BILL NO. 55—Mullin. An act to add Section 22955.1 to, and to repeal and add Section 22954.1 of, the Education Code, relating to state teachers' retirement, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 56—Wolk. An act to amend Sections 21456.2 and 21456.3 of, and to amend and repeal Section 21450 of, the Vehicle Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 58—Nunez. An act to add Part 69 (commencing with Section 101000) to the Education Code, relating to education facilities, and by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

ASSEMBLY BILL NO. 59—Cohn. An act to add Section 273.55 to the Penal Code, relating to domestic violence.

ASSEMBLY BILL NO. 60—Nunez. An act to add Section 42238.47 to the Education Code, relating to school finance.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1—Calderon. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, relating to the state budget.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2—Hancock. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to gaming.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3—Haynes. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 7.5 to Article I of the California Constitution, relating to marriage.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 4—Plescia and Harman (Coauthor: Bogh). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIX B thereof, relating to transportation.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 5—Richman. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8 to Article XX thereof, relating to public pension or retirement benefits.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6—Wyland. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 26 to Article XX thereof, relating to public benefits.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 7—Nation. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII A thereof, by amending Section 2 of Article XIII C thereof, and by amending Section 3 of Article XIII D thereof, relating to taxation.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 8—Maze. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of, and adding Sections 2, 3, and 4 to, Article XXI thereof, relating to elections.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 1—Negrete McLeod. Relative to Proposition 71 the California Stem Cell Research and Cures Initiative.

ASSEMBLY CONCURRENT RESOLUTION NO. 2—Cohn. Relative to Domestic Violence Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 3—Cohn. Relative to California Holocaust Memorial Week.

ASSEMBLY JOINT RESOLUTION NO. 1—Bermudez and Tran (Coauthors: Chan, Liu, Matthews, Nakanishi, Negrete McLeod, Torrico, Umberg, and Yee). Relative to commemorative stamps.

ASSEMBLY JOINT RESOLUTION NO. 2—Evans. Relative to the full benefits of Filipino-American veterans of the United States Armed Forces.

ASSEMBLY JOINT RESOLUTION NO. 3—Cohn. Relative to the 32nd anniversary of Roe v. Wade.

REPORTS

The following reports were presented by the Chief Clerk:

**2003 California Beach Advisory Report
(Pursuant to Health and Safety Code Section 115910 (e))**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, referred by the Speaker to the Committee on Natural Resources.

Annual Contracting Activity Report (STD 810)

Above transmitted report, together with letter of transmittal from Tom DiGrazia, Secretary-Manager, Silver Dollar Fair, dated November 24, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Legislative Analyst's Office (LAO) Study Report
on Certain Asset Transfers by Health Care Districts to
Nonprofit and For-profit Corporations
(Pursuant to Senate Bill 1508, Chapter 169, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, Legislative Analyst's Office, dated November 18, 2004, referred by the Speaker to the Committee on Health.

**Consultant Services Contract Annual Report
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated November 29, 2004, referred by the Speaker to the Committee on Business and Professions.

**California Public Utilities Commission Annual Report
Fiscal Year July 1, 2003–June 30, 2004
(Pursuant to Public Utilities Code Section 316)**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated December 1, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**CSU Employment, Enrollment, Class Size, Course Section
and Expenditure Data
(Pursuant to Supplemental Report to the 2003 Budget Act)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated November 29, 2004, referred by the Speaker to the Committee on Budget.

**Drug Manufacturing, Medical Device Manufacturing
and Home Medical Device Retailer Licensing
Costs and Fee Analysis
(Pursuant to Health and Safety Code Section 111656.1 (e))**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated November 1, 2004, referred by the Speaker to the Committee on Health.

**Underground Storage Tank Cleanup Fund Report
(Pursuant to Health and Safety Code Section 25299-81 (d))**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated November 30, 2004, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2004-010
December 2, 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 required by Chapter 310, Statutes of 1995, the Bureau of State Audits presents its audit report concerning the Department of Transportation's (department) revenues and expenditures authorized by the Seismic Retrofit Bond Act of 1996 (Bond Act). This report concludes that the department has ensured that seismic retrofit projects funded with bond proceeds are consistent with the purpose of the Bond Act. As of June 30, 2004, the department had spent \$1.93 billion of the \$2 billion authorized by the Bond Act. In addition, the department has nearly completed its reimbursement of the State Highway Account and the Consolidated Toll Bridge Fund for expenditures incurred during fiscal years 1994-95 and 1995-96 as required by the Bond Act. As of June 30, 2004, the department had reimbursed the two funding sources \$95.7 million of the \$114 million that is owed to them.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

2004-117
December 7, 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, the Bureau of State Audits presents its audit report concerning our review of the city of Richmond (city) with a focus on the factors that contributed to its financial crisis. This report concludes that the city drained its financial assets and jeopardized its financial stability because it failed to control spending while its revenues decreased. Between 1998 and 2003, the city entered into agreements with its six employee unions that significantly increased salaries and improved

retirement benefits. Unreasonable budget estimates in fiscal years 2002–03 and 2003–04, some of which were intentional, and ineffective budget monitoring masked Richmond’s overspending and the city did not take timely action to reduce its costs.

In March 2004 the city introduced a corrective action plan to rectify the city’s deficit and build long-term financial health. Since that time, the city has taken steps to reduce its costs by renegotiating certain benefits in its labor agreements and increase its revenues by placing a half-cent sales tax increase on the November 2004 ballot that voters approved. Although the city is moving in the right direction, it is too soon to tell whether the actions the city has already taken and plans to take in the future will be sufficient to restore its financial health.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Local Government.

ADJOURNMENT

At 4 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 12 noon, Monday, January 3, 2005, out of respect to the memory of former Senator Alfred H. Song, former Legislative Counsel Bion M. Gregory, and Jeff Arthur, on motion of Assembly Member Frommer; out of respect to the memory of Thomas Lee Rindels, on motion of Assembly Member Benoit; out of respect to the memory of Richard C. Trudeau, on motion of Assembly Member Hancock; out of respect to the memory of Tannis Brower and Lesley Peavey, on motion of Assembly Member Runner; and out of respect to the memory of Phoebe Ellen McGowan, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

ORGANIZATIONAL RECESS

Assembly Chamber, Sacramento
Thursday, December 9, 2004

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2005–06 Regular Session was printed while the Assembly was in Organizational Recess:

COMMUNICATIONS

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

December 1, 2004

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

RE: Appointment of Richard A. Platel
to be State Bar Court Hearing Judge

Dear Mr. Wilson: Please be advised I have appointed Mr. Richard A. Platel to be a State Bar Court Hearing Judge. This is a term appointment starting December 1, 2004 and the expiration date is November 1, 2008. Mr. Platel will be filling the vacancy created by the Honorable Alban I. Niles.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 1, 2004

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

RE: Appointment of John O'Rourke
to Contractors' State License Board

Dear Mr. Wilson: Please be advised I have appointed Mr. John O'Rourke to the Contractors' State License Board. This is a term appointment starting December 1, 2004 and the expiration date is June 1, 2008. Mr. O'Rourke will be replacing Mr. Chuck Center.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 1, 2004

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

RE: Appointment of Larry Yee
to Acupuncture Board

Dear Mr. Wilson: Please be advised I have appointed Mr. Larry Yee to the Acupuncture Board. This is a term appointment starting December 1, 2004 and the expiration date is June 1, 2008. Mr. Yee will be replacing Ms. Min Chang.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 1, 2004

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

RE: Reappointment of Andrea Zinder
to Board of Pharmacy

Dear Mr. Wilson: Please be advised I have reappointed Ms. Andrea Zinder to the Board of Pharmacy. This is a term appointment starting December 1, 2004 and the expiration date is June 1, 2008.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 9, 2004

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

RE: Appointment of Hector De La Torre
to California Cultural and Historical Endowment

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Hector De La Torre to the California Cultural and Historical Endowment. This is a pleasure appointment starting December 9, 2004. Hon. De La Torre will be replacing former Assemblymember Marco Firebaugh.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

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

December 7, 2004

*The Honorable Liz Figueroa
State Capitol, Room 4061
Sacramento, California*

Dear Senator Figueroa: The Senate Rules Committee has appointed you to serve as Chair of the Joint Committee on Boards, Commissions and Consumer Protection for the 2005–06 Session. The Rules Committee appointed Senators Aanestad and Vincent to serve as members of the joint committee.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Proposed Initiatives

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title and summary of the following proposed initiative, dated November 30, 2004, pursuant to Elections Code, Section 9007:

**Redistricting. Initiative Constitutional Amendment
SA2004RF0031**

Referred by the Speaker to the Committee on Elections and Redistricting.

REPORTS

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

California State Auditor

2004-111
December 9, 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, the Bureau of State Audits presents its audit report concerning the process and related costs incurred by the departments of Developmental Services (Developmental Services), the Youth Authority (Youth Authority), and Mental Health (Mental Health) to house sex offenders in the community.

This report concludes that Developmental Services cannot identify the total number of individuals it serves who are sex offenders, and is not required to do so. Consequently, it cannot isolate the costs associated with placing them in local communities. Furthermore, when regional centers identify sex offenders, they face barriers in placing them in local communities. We also found that the Youth Authority's out-of-home placement standards do not conform to laws and regulations otherwise governing housing facilities. In addition, its parole offices do not always follow procedures for supervising parolees who are sex offenders. Moreover, the Youth Authority's contracts with homes do not contain some of the elements of a valid contract and it cannot track the cost of housing sex offenders in the community because it lacks adequate controls over its billing system. Although only three sexually violent predators (SVPs) have been released to Mental Health's Forensic Conditional Release Program, procuring housing for SVPs may continue to be difficult, and the program has proven costly given the small number of people who qualify. Mental Health could improve its fiscal oversight of the program by routinely performing audits and detailed reviews of costs. Finally, the State currently has no process to measure how successful the SVP component of its Forensic Conditional Release Program is or to determine how to improve it.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Public Safety.

The following reports were presented by the Chief Clerk:

**Disabled Veterans Bond Services Participation Report
(Pursuant to Military and Veterans Code Section 999.7)**

Above transmitted report, together with letter of transmittal from Theresa A. Parker, Executive Director, California Housing Finance Agency, dated December 1, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Small Business/Disabled Veterans Business Enterprise (DVBE)
Improvement Plan Report
(Pursuant to Public Contract Code Section 10115.5,
Military and Veterans Code Section 999.7,
and Government Code Section 14840)**

Above transmitted report, together with letter of transmittal from Patrick W. Henning, Director, Employment Development Department, dated December 6, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

INTRODUCTION OF ASSEMBLY BILLS

The following bills were introduced:

ASSEMBLY BILL NO. 61—Houston. An act relating to education finance.

ASSEMBLY BILL NO. 62—Strickland. An act to amend Section 218 of the Revenue and Taxation Code relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 63—Strickland. An act to add Part 4.7 (commencing with Section 19940) to Division 13 of the Health and Safety Code, relating to housing for the elderly and disabled.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 2

ORGANIZATIONAL RECESS

Assembly Chamber, Sacramento
Tuesday, December 21, 2004

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2005–06 Regular Session was printed while the Assembly was in Organizational Recess:

COMMUNICATIONS

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

December 10, 2004

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

RE: Appointment of John Hein
to the California Institute for Regenerative Medicine,
Citizen's Financial Accountability Oversight Committee

Dear Mr. Wilson: Please be advised I have appointed Mr. John Hein to the California Institute for Regenerative Medicine, Citizen's Financial Accountability Oversight Committee. This is a pleasure appointment starting December 10, 2004.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 10, 2004

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

RE: Appointment of Jonathan Shestack
to the California Institute for Regenerative Medicine
Independent Citizen's Oversight Committee

Dear Mr. Wilson: Please be advised I have appointed Mr. Jonathan Shestack to the California Institute for Regenerative Medicine Independent Citizen's Oversight Committee. Mr. Shestack's term appointment starts December 10, 2004 and the expiration date is November 3, 2012.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

INTRODUCTION OF ASSEMBLY BILLS

The following bills were introduced:

ASSEMBLY BILL NO. 64—Cohn. An act to amend Section 653w of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 65—Daucher. An act to amend Section 14087.54 of the Welfare and Institutions Code, relating to MediCal, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 66—Pavley. An act to amend, repeal, and add Section 17071.75 of, and to add and repeal Sections 14022.7, 14702, 42238.25, 42238.26, 48003, 48004, and 48012 of, the Education Code, relating to kindergarten, and making an appropriation therefor.

ASSEMBLY BILL NO. 67—Chavez. An act to add Section 2891.5 to the Public Utilities Code, relating to telecommunications.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 3, 2005

SECOND SESSION DAY

TWENTY-NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 3, 2005

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

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Vargas moved a quorum call of the Assembly.

Quorum Present

At 12:04 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—75:

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

PRAYER

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

Lord, As we begin this new legislative session, we pause to remember Congressman Robert Matsui of Sacramento and we ask that You rest his soul in a place of light and of renewed life, where there is no pain or sorrow but life everlasting.

We also pray for the work we have set before us today. Lord, bless us as we begin this new session. Anyone who finds joy in obeying and studying Your law, will succeed in everything they do.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Spitzer.

Because of illness: Assembly Member Daucher.

Due to travel delays: Assembly Members Jerome E. Horton, Negrete McLeod, and Oropeza.

OATHS OF OFFICE

The following oaths of office were taken and subscribed to by Assembly Member Patty Berg, 1st District and Assembly Member Jenny Oropeza, 55th District, who were absent from the 2005–06 Organizational Session on December 6, 2004.

OATH

*for the Office of Member of the Assembly
First Assembly District*

I, Patty Berg, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

PATTY BERG

Subscribed and sworn to before me,
this 3rd day of January
A. D. 2005

E. DOTSON WILSON
Chief Clerk of the Assembly

OATH

*for the Office of Member of the Assembly
55th Assembly District*

I, Jenny Oropeza, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

JENNY OROPEZA

Subscribed and sworn to before me,
this 20th day of December
A. D. 2004

HON. ALAN LOWENTHAL
Senator, 27th District

COMMUNICATIONS

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

January 3, 2005

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

Dear Dotson: This is to advise you that in addition to Assemblymember Cindy Montañez, Chair, I have appointed the following members to the Assembly Rules Committee for the 2005–06 Regular Session:

Assemblymember Dave Cogdill, Vice Chair
Assemblymember Joe Baca, Jr.
Assemblymember John Benoit
Assemblymember Joe Coto
Assemblymember Mervyn Dymally
Assemblymember Betty Karnette
Assemblymember Michael Villines

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 3, 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 the following Assemblymembers to the Joint Rules Committee:

Assembly Speaker Fabian Núñez
Assemblymember Cindy Montañez
Assemblymember Joe Baca, Jr.
Assemblymember John Benoit
Assemblymember Dave Cogdill
Assemblymember Joe Coto
Assemblymember Mervyn Dymally
Assemblymember Dario Frommer
Assemblymember Betty Karnette
Assemblymember Kevin McCarthy
Assemblymember Michael Villines

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 3, 2005

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

Dear Dotson: This is to advise you that in addition to Assemblymember Nicole Parra, I have appointed the following Assembly members to the Joint Legislative Audit Committee:

Assemblymember Greg Aghazarian
Assemblymember Dave Cogdill
Assemblymember Jackie Goldberg
Assemblymember Johan Klehs
Assemblymember Tim Leslie
Assemblymember Pedro Nava

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 3, 2005

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

Dear Dotson: Please be advised that I have appointed Assemblymember Gloria Negrete McLeod to fill the vacancy and Assemblymembers Paul Koretz and Todd Spitzer to replace Assemblymembers Joe Nation and Sharon Runner on the Joint Committee on Boards, Commissions and Consumer Protection.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

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

January 3, 2005

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

Dear Mr. Wilson: Please be advised that the Assembly Committee on Rules met on January 3, 2005, and approved the following items:

- Assembly Standing Committee Jurisdictions for 2005–06 Legislative Session (except Appropriations, Budget and Elections and Redistricting Committees) (8–0)
- Assembly Appropriations and Budget Committees Jurisdictions for 2005–06 Legislative Session (5–3)
- Assembly Elections and Redistricting Committee Jurisdictions for 2005–06 Legislative Session (5–3)
- Appointment of Jon Waldie as the Chief Administrative Officer of the Assembly for the 2005–06 Legislative Session (8–0)

Please ensure that these actions are printed in the Assembly Daily Journal.

Sincerely,

CINDY MONTAÑEZ
Chair

**ASSEMBLY
STANDING COMMITTEE JURISDICTIONS**

Aging and Long Term Care
Agriculture
Appropriations
Arts, Entertainment, Sports, Tourism and Internet Media
Banking and Finance
Budget
Business and Professions
Education
Elections and Redistricting
Environmental Safety and Toxic Materials
Governmental Organization
Health
Higher Education
Housing and Community Development
Human Services
Insurance
Jobs, Economic Development and the Economy
Judiciary
Labor and Employment
Local Government
Natural Resources
Public Employees, Retirement and Social Security
Public Safety
Revenue and Taxation
Rules
Transportation
Utilities and Commerce
Veterans Affairs
Water, Parks and Wildlife

Aging and Long Term Care

Area Agencies on Aging
Department of Aging
Long term care services
Older Americans Act
Older Californians Act
Senior citizens advocacy activities
Senior Legislature
Services for seniors in residential and day settings
State Commission on Aging

Agriculture

Agriculture
Agricultural chemicals
Agricultural commodities and commissions
Department of Food and Agriculture
Department of Pesticide Regulation
Economic poisons
Expositions and fairs
Food labeling
Labeling of agricultural commodities
Livestock and poultry
Marketing law
Milk and milk products
Pest management and pesticides
Veterinarians, agricultural issues

Appropriations

Deficiency bills
Fiscal bills
General obligation bond acts
Judgment and settlement bills
Revenue bonds
State mandated claims bills

Arts, Entertainment, Sports, Tourism, and Internet Media

Arts
Athletics, State Athletic Commission
Entertainment
Internet Media
Motion picture industry
Museums
Tourism

Banking and Finance

California Pollution Control Financing Authority
Charitable and cooperative corporation law
Consumer finance and credit reporting
Corporate securities law
Financial institutions
Foreign banking
Foreign investments in California financial institutions
Formation of new corporate entities
Franchises, except for arbitration of disputes between
franchisor/franchisee
Industrial development bonds
Insurance finance and lending practices
Real property finance
State investment practices

Budget

Budget bill
Current fiscal year appropriations for new projects
Budget trailer bills which are not referred to a policy committee
Bills which establish state budget policy and procedures

Business and Professions

Administrative Procedure Act and Office of Administrative Law
Charitable solicitation
Consumer protection
Creation of new regulatory agencies
Department of General Services
Governmental efficiency and cost control
Licensing of health care professionals
Occupational licensing
Product labeling, except agricultural and medical
Property acquisition, state and local
Property acquisition law
State governmental organization and reorganization
State printing and binding contracts
State procurement
Sunsetting of boards and commissions
Weights and measures
Vocational education
Veterinarians, licensing issues

Education

Adult education
Certificated employees of schools and teacher salaries
Charter schools
Leasing of school property
K-12 education
Pupil records
School buses and crossing guards
School facilities and finance

Elections and Redistricting

California Political Reform Act
Campaign finance
Elections
Redistricting

Environmental Safety and Toxic Materials

Department of Pesticide Regulation
Drinking water regulation, toxic contamination of water
Emergency response relating to hazardous materials
Hazardous waste regulation and remediation
Pesticides: processed food and public health
Proposition 65
Regulation of consumer products containing toxic substances under the Sherman Food, Drug and Cosmetics Law
Toxic air contaminants and indoor air quality
Toxic substances and hazardous materials, except for workplace safety
Underground storage tank regulation and cleanup

Governmental Organization

Alcoholic Beverage Control
Emergency services, excluding medical emergencies
Fire safety, excluding residential building standards
Gaming
Horse racing
Natural disasters
Offices of the Governor, Lieutenant Governor, State Controller, and
State Treasurer
Open meetings laws as they affect state government
Public records and Public Records Act
State Fire Marshal
State holidays, seals, and official acts
State Lottery
Tobacco products

Health

Alcohol and drug abuse treatment
Developmental disabilities
Health care
Licensing of health care facilities
Mental health, except mentally disordered offenders
Prescriptions
Public health programs

Higher Education

Academic research partnerships with the private sector
Community college job training programs
Postsecondary education, financial aid and campuses

Housing and Community Development

Condominium conversions
Discrimination in housing
Housing rehabilitation
Mobile homes
Public finance of housing
Redevelopment
Rent control
Residential building standards
Structural fire safety
Subdivision Map Act re: housing

Human Services

Children's programs and services
Foster care
Licensing and regulation of community & child care facilities
Public assistance (General Assistance, CalWORKs, and SSI/SSP)
Services for developmentally disabled Californians
Services for physically disabled Californians
Department of Social Services programs

Insurance

Disability insurance

Insurance

Insurance investment, excluding finance, lending and lending practices

Unemployment compensation

Vehicle financial responsibility

Workers' compensation

Jobs, Economic Development and the Economy

Business advocacy within California and the United States

Business advocacy of import/export trade

California-Mexico relations

California overseas trade offices

Department of Information Technology

Development and expansion of new technologies, except energy

Development of international high tech markets

Economic disaster relief

Economic impact reports

Effect of balance of trade issues on California

Enterprise Zones

Expansion of overseas markets

Foreign investments by California

Foreign investments in California

Impacts of federal budget on high tech projects

Impacts of federal budget on international trade

Information technology

Industrial innovation and research

International capital, including capital formation

International trade, research and import/export finance

Interstate commerce

Seaports and physical infrastructure

Sister state agreements and friendship agreements with other nations

Small business development and operations

State and local economic development

Women and minority business enterprises (WMBE)

Judiciary

Administration of justice and court personnel

Administrative procedure

Adoptions

Arbitration of disputes between franchisor/franchisee

Civil Code

Code of Civil Procedure

Condemnation

Confidentiality of court records

Eminent Domain

Enforcement of judgements

Evidence Code, excluding criminal procedure

Family law

Landlord/tenant relations

Legal notices

Liens

Notary Public

Probate Code
 Product liability
 Property acquisition (private property acquired by state agency)
 Public administration of estates
 State Bar
 Trade restraints
 Tort liability

Labor and Employment

Agricultural Labor Relations Act
 Discrimination in employment
 Employment Development Department
 Unemployment insurance—length of coverage
 Workplace safety regulations and Cal-OSHA

Local Government

Administration of special districts
 Benefit assessments, special taxes and local alternative revenue sources
 City and county organization and powers
 Joint exercise of powers
 Local agency formation commissions
 Municipal Improvement Acts of 1911, 1913, etc.
 Ralph M. Brown Act
 Subdivisions
 Uniform accounting and reporting procedures for local agencies

Natural Resources

Beverage Container Recycling Act
 California Environmental Quality Act
 Coastal Act, Coastal Commission and Coastal Conservancy
 Coachella Valley Mountains Conservancy
 Department of Conservation programs
 Energy conservation, research, development, and demonstration and siting of power plants
 Forestry
 Harbors
 Lake Tahoe Conservancy
 Solid waste management, except hazardous substances
 Stationary source air pollution
 Natural Community Conservation Planning Act (land use planning)
 Oil Spill Prevention and Response Act
 San Francisco Bay Conservation and Development Commission
 Santa Monica Mountains Conservancy
 State lands
 Subdivision Map Act re: timber, coastal, agricultural land use
 Tidelands and submerged lands
 Vessel traffic management systems (VTMS)
 Wild and scenic rivers

Public Employees, Retirement and Social Security

Classified school employees
 Judges Retirement Law
 Public employee collective bargaining
 Public retirement administration and investment strategy

Public Safety

Asset forfeiture
Controlled substances
Crime victims and restitution
Criminal procedure
Driving under the influence
Felony offenses and those misdemeanor violations not incidental to the subject of another committee
Grand juries
Impoundment of vehicles
Inspection of stolen vehicles
Juvenile law
Peace officers
Penal Code
Qualifications of counsel in criminal matters
Youth authority and prisons—construction and discipline

Revenue and Taxation

All matters relating to taxation

Rules

Business of the Legislature

Transportation

California Highway Patrol
Drivers' licenses
Highways and airports
Mass transit systems
Mobile sources of air pollution
School bus safety and maintenance
Seaports and physical infrastructure
Transit authority
Transportation financing
Vehicles, aircraft, and vessels—operation, safety, equipment, transfer of ownership, licensing and registration
Vehicle weight restrictions

Utilities and Commerce

Common carriers
Energy conservation, research, development and demonstration and siting of power plants
Expansion of overseas markets
Intrastate commerce
Public Utilities Commission, rate increases regulated by the PUC
Telecommunications
Trucking regulated by the PUC

Veterans Affairs

Cal-Vet loan program
Department of Veterans Affairs
National Guard
State military
Veterans

Water, Parks and Wildlife

Department of Water Resources
 Drought relief
 Fish and game
 Flood control
 Native plants
 Natural Community Conservation Planning Act
 Parks and recreation
 State Historical Resources Commission
 State Water Resources Control Board
 Stream resource management
 Water and water supply planning
 Water rights and water banks
 Wildlife

Constitutional amendments will be referred to the policy and fiscal committees with subject matter jurisdiction over the issues contained in the ACA or SCA.

FIRST READING OF ASSEMBLY BILLS

The following bills were read the first time:

ASSEMBLY BILL NO. 61—Houston. An act relating to education finance.

ASSEMBLY BILL NO. 62—Strickland. An act to amend Section 218 of the Revenue and Taxation Code relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 63—Strickland. An act to add Part 4.7 (commencing with Section 19940) to Division 13 of the Health and Safety Code, relating to housing for the elderly and disabled.

ASSEMBLY BILL NO. 64—Cohn. An act to amend Section 653w of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 65—Daucher. An act to amend Section 14087.54 of the Welfare and Institutions Code, relating to MediCal, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 66—Pavley. An act to amend, repeal, and add Section 17071.75 of, and to add and repeal Sections 14022.7, 14702, 42238.25, 42238.26, 48003, 48004, and 48012 of, the Education Code, relating to kindergarten, and making an appropriation therefor.

ASSEMBLY BILL NO. 67—Chavez. An act to add Section 2891.5 to the Public Utilities Code, relating to telecommunications.

(NOTE: The above bills were introduced during the Organizational Recess.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced that Chief Assistant Clerk Ralph Romo retired as of November 30, 2004. Pam Cavileer is the new Chief Assistant Clerk and Sue Parker is the Minute Clerk.

Speaker pro Tempore Yee announced the following session schedule:

Tuesday, January 4, 2005, Check-in Session, 7 a.m.–3 p.m.;

Wednesday, January 5, 2005, Floor Session, 4:30 p.m., Joint Convention for the Governor's State of the State Address, 5 p.m.;

Thursday, January 6, 2005, Floor Session, 9:30 a.m.

ADJOURN IN MEMORY
Moment of Silence Observed

Speaker pro Tempore Yee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the victims and survivors of the South East Asia earthquake and tsunami, and the Assembly observed a moment of silence in their honor.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Cogdill and Aghazarian were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Oscar Sanchez and Michael Dwayne Anderson Jr., of Modesto.

(Assembly Rule 45.5 suspended.)

Assembly Members Jones, Chu, and Liu were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Congressman Robert Matsui, of Sacramento.

(Assembly Rule 45.5 suspended.)

Assembly Members Dymally, Ridley-Thomas, Bass, and Goldberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Congresswoman Shirley Chisholm, of Brooklyn, New York.

(Assembly Rule 45.5 suspended.)

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 Honorable Henry Mello, of Watsonville, Assembly Member 1977–1980 and State Senator 1981–1996.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joyce Jacoby, Knox La Rue, and Wilber Smith, of Stockton.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Barbara Jane Eller and Kenneth Hollinsead, of Crescent City; Elizabeth Jane Harrison-Sanches, Timothy James Robertson, and Cody Wertz, of Eureka; Leroy Aarons and Sergeant 1st Class Michael Ottolini, of Sebastopol; and George Deal, of Trinity County.

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Milo P. Johnson, of Banning.

Assembly Member Chu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carol Lynne Trujillo, of Azusa; Lance Corporal Victor Lu, of Los Angeles; and Second Lt. James P. Blecksmith, of San Marino.

Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pat Rotolo, of El Segundo.

Assembly Member Leno was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Clyde Hansen, of St. Paul, Minnesota.

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 Bill Joyce, of Rancho Cordova and Linda Anne Schwartz, of Greenwood.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cpl. Dale E. Fracker and Pfc. Kenneth J. Sickels, of Apple Valley and Robert E. Harbicht and Phyllis Rae McCarville, of Monrovia.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jane O'Connor, of South San Francisco.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michele Rosen, of Petaluma.

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 Rick Gonzales Sr., Betty Herdt, Judith Vulliet, and Kimiko Yamada, of Davis; Guillermo "Gil" Laforga, of Suisun City; William R. Hill, A. C. Moore, Jr., and Alan Eugene Purcell, Sr., of Vacaville; Ethel Louise Read, of Vallejo; and John Robert Phillips, of Winters.

MOTION TO ADJOURN

At 12:29 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:30 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

SPECIAL COMMITTEE MEETINGS

Assembly Member Frommer was granted unanimous consent that the Joint Committee on Boards, Commissions and Consumer Protection be permitted to hold a special meeting on Tuesday, January 4, 2005, Wednesday, January 5, and Thursday, January 6, 2005.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 68—Montanez. An act to amend Section 2982 of, and to add Sections 2982.2 and 2982.10 to, the Civil Code, to add Section 6012.3 to the Revenue and Taxation Code, and to amend Sections 11709.2 and 11713.1 of, and to add Section 11713.13 to, the Vehicle Code, relating to consumers.

ASSEMBLY BILL NO. 69—Harman. An act to amend Sections 5301, 5303, and 5401 of the Probate Code, relating to multiple-party accounts.

ASSEMBLY BILL NO. 70—Maze. An act to amend Section 4467 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 71—Frommer and Chan (Coauthors: Bass, Evans, Gordon, Koretz, and Pavley). An act to add Article 7 (commencing with Section 111657) to Chapter 6 of Part 5 of Division 104 of the Health and Safety Code, relating to pharmaceuticals.

ASSEMBLY BILL NO. 72—Frommer and Chan (Coauthors: Bass, Evans, Gordon, Koretz, Nava, Pavley, and Salinas). An act to add Division 114 (commencing with Section 130700) to the Health and Safety Code, relating to prescription drugs.

ASSEMBLY BILL NO. 73—Frommer and Chan (Coauthors: Bass, Evans, Gordon, Koretz, Nava, Pavley, and Salinas). An act to add Section 14982 to the Government Code, and to add Article 5 (commencing with Section 110242) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

ASSEMBLY BILL NO. 74—Gordon and Frommer. An act to add Article 5 (commencing with Section 110243) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

ASSEMBLY BILL NO. 75—Frommer and Chan (Coauthors: Bass, Evans, Gordon, Koretz, Nava, Pavley, and Salinas). An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to prescription drugs, and making an appropriation therefor.

ASSEMBLY BILL NO. 76—Frommer and Chan (Coauthors: Bass, Evans, Gordon, Koretz, Nava, and Pavley). An act to amend Section 12803 of, to add Part 5.4 (commencing with Section 14570) to, and to repeal Chapter 12 (commencing with Section 14977) of Part 5.5 of, Division 3 of Title 1 of, the Government Code, relating to pharmaceuticals.

ASSEMBLY BILL NO. 77—Frommer and Chan (Coauthors: Bass, Evans, Gordon, Koretz, Pavley, and Salinas). An act to add Section 5024.7 to the Penal Code, relating to correctional facilities.

ASSEMBLY BILL NO. 78—Pavley (Coauthors: Bass, Chan, Evans, Frommer, Gordon, and Koretz). An act to add Division 113 (commencing with Section 150000) to the Health and Safety Code, relating to pharmacy benefits management.

ASSEMBLY BILL NO. 79—Calderon. An act relating to lending.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 4—Chu, Shirley Horton, Yee, Tran, Nakanishi, Chan, Liu, and Torrico (Principal coauthors: Bass, Frommer, and Ridley-Thomas) (Coauthor: Nunez). Relative to Korean-American Day.

HOUSE RESOLUTION NO. 4—Dymally. Relative to the Asian tsunami disaster.

MESSAGES FROM THE SENATE

Senate Chamber, December 6, 2004

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

Senate Concurrent Resolution No. 1

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 1—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, January 4, 2005, out of respect to the memory of victims and survivors of the south east Asia earthquake and tsunami, on motion of Assembly Member Yee; out of respect to the memory of Oscar Sanchez, on motion of Assembly Members Cogdill and Aghazarian; out of respect to the memory of Michael Dwayne Anderson Jr., on motion of Assembly Member Cogdill; out of respect to the memory of Congressman Robert Matsui, on motion of Assembly Members Jones, Chu and Liu; out of respect to the memory of Congresswoman Shirley Chisolm, on motion of Assembly Members Dymally, Ridley-Thomas, Bass and Goldberg; out of respect to the memory of the Honorable Henry Mello, on motion of Assembly Member Laird; out of respect to the memory of Joyce Jacoby, Knox La Rue, and Wilber Smith, on motion of Assembly Member Aghazarian; out of respect to the memory of Barbara Jane Eller, Kenneth Hollinsead, Elizabeth Jane Harrison-Sanches, Timothy James Robertson, Cody Wertz, Leroy Aarons, Sergeant 1st Class Michael Ottolini, and George Deal, on motion of Assembly Member Berg; out of respect to the memory of Milo P. Johnson, on motion of Assembly Member Bogh; out of respect to the memory of Carol Lynne Trujillo, Lance Corporal Victor Lu, and Second Lt. James P. Blecksmith, on motion of Assembly Member Chu; out of respect to the memory of Pat Rotolo, on motion of Assembly Member Gordon; out of respect to the memory of Clyde Hansen, on motion of Assembly Member Leno; out of respect to the memory of Bill Joyce and Linda Anne Schwartz, on motion of Assembly Member Leslie; out of respect to the memory of Cpl. Dale E. Fracker, Pfc. Kenneth J. Sickels, Robert E. Harbicht and Phyllis Rae McCarville, on motion of Assembly Member Mountjoy; out of respect to the memory of Jane O'Connor, on motion of Assembly Member Mullin; out of respect to the memory of Michele Rosen, on motion of Assembly Member Nation; and out of respect to the memory of Rick Gonzales Sr., Betty Herdt, Judith Vulliet, Kimiko Yamada, Guillermo "Gil" Laforga, William R. Hill, A. C. Moore, Jr., Alan Eugene Purcell, Sr., Ethel Louise Read, and John Robert Phillips, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 4, 2005

THIRD SESSION DAY

THIRTIETH 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, January 4, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—77:

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

Quorum present.

At 1:40 p.m., Hon. Rebecca Cohn, 24th 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 Member Jerome E. Horton.

On personal business, and waiving per diem: Assembly Member Spitzer.

Because of illness: Assembly Member Daucher.

EXPLANATIONS OF ABSENCE

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

January 3, 2005

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

Dear Mr. Speaker: Due to weather damage from the recent storms, I am respectfully requesting permission to be excused from Assembly Check-In Session on Tuesday, January 4, 2005, for legislative business. I will be returning to Sacramento on Wednesday, January 5, 2005, in time for Assembly Floor 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

COMMUNICATIONS

The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2004-139
December 16, 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, the Bureau of State Audits presents its audit report concerning the Office of the Secretary of State's (office) administration of federal Help America Vote Act of 2002 (HAVA) funds.

This report concludes that the office's insufficient planning and poor management practices hampered its efforts to implement HAVA provisions in a timely way. Consequently, the office is at risk of failing to meet certain requirements by the January 1, 2006, HAVA implementation date. Additionally, the office's disregard for proper controls and its poor oversight of staff and consultants led to questionable uses of HAVA funds. As a result of these practices, the office runs the risk that the federal government may conduct an audit of the office's implementation of HAVA and its use of federal funds and may require repayment of some, if not all, of the HAVA funds used to pay certain employees and consultants.

Furthermore, the office avoided competitive bidding for most of its purchases paid with HAVA funds. It obtained and then inappropriately used a Department of General Services (General Services) exemption from competitive bidding for some consultant services and did not follow the State's procurement policies when purchasing other goods and services. As a result, the State has less assurance that

the office obtained the best value for purchases, totaling \$3.3 million, it made with HAVA funds. Moreover, the office bypassed the Legislature's spending approval authority by inappropriately executing voter outreach consultant contracts valued at \$230,400 and then charging the associated consultant costs of \$84,600 to its fiscal year 2004–05 HAVA administration account.

Finally, the office failed to disburse federal HAVA funds to counties for the replacement of outdated voting machines within the time frames outlined in its grant application package and county agreements, causing some counties to lose interest income they could have used in replacing their voting systems.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Elections and Redistricting.

California State Auditor

2004-101
December 20, 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, the Bureau of State Audits presents its audit report concerning the pricing practices and impact of the Prison Industry Authority (PIA).

This report concludes that PIA has discretion with regard to how it fulfills its statutory purpose to be self-supporting. For instance, PIA uses profits from some enterprises to offset losses in others. In addition, although state law does not require PIA to offer competitive prices and its prices can differ from those of other vendors, PIA could improve certain pricing practices, such as product costs of questionable reliability, inadequate documentation justifying its prices, and a lack of policies with regard to special or discount pricing.

PIA has not established participation targets for the number of inmates it aims to employ among its various enterprises, which would allow it to demonstrate its effectiveness in fulfilling its statutory purpose to employ inmates. Also, PIA has not demonstrated adequately whether and in what manner it fulfills its statutory purpose to reduce the operating costs of the California Department of Corrections. Finally, although PIA has embarked upon various activities aimed at enhancing the employability of its participants, it has not established targets or performance measures to track participants' post-release success and evaluate its own performance.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Public Safety.

California State Auditor

2004-140
December 22, 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, the Bureau of State Audits presents its audit report on the Department of Transportation's (Caltrans) Toll Bridge Seismic Retrofit Program (program). The report examines the cost increases for the program between its budget established in 2001 and its August 2004 cost estimate, as well as Caltrans' project management practices for the program.

This report concludes that the \$3.2 billion increase in estimated program costs and the four-year time delay in the program occurred for many reasons, but the replacement of the San Francisco-Oakland Bay Bridge's east span (East Span) was the largest contributor, with an estimated cost increase of \$2.5 billion. However, only \$930 million of the \$3.2 billion cost increase relates to the bid for the superstructure of the East Span's signature span; the remainder is attributable to increases for other cost categories such as Caltrans' support costs and the program contingency reserve, which rose by \$556 million and \$452 million, respectively. According to Caltrans, costs may rise even further as the contract to construct the superstructure for the East Span's signature span has expired and Caltrans must now either rebid or redesign this section of the bridge.

Despite the East Span's extraordinary strategic, technical, and financial risks, Caltrans failed to create a risk management plan, track risks that it identified, or update its cost estimates and contingency reserve to reflect those risks. Further, Caltrans' cost update for the August 2004 report to the Legislature was its first program-wide update of cost estimates since April 2001. Finally, as early as November 2003, when it reported the program's financial status to the Federal Highway Administration, Caltrans should have known that the program would experience large cost overruns. At that time, Caltrans failed to recognize that it had only a year and a half of support costs funding remaining though the program was to last eight more years, that the bid for the signature span's superstructure would be much higher than its official estimate, and that its remaining program contingency reserve of \$122 million was inadequate given the uncertainty facing the program.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Transportation.

REPORTS

The following reports were presented by the Chief Clerk:

2002 Electronic Interceptions Report (Pursuant to Penal Code Section 629.62)

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated December 8, 2004, referred by the Speaker to the Committee on Public Safety.

2004 Integrated Energy Policy Report Update

Above transmitted report, together with letter of transmittal from William J. Keese, Chairman, California Energy Commission, dated December 8, 2004, referred by the Speaker to the Committee on Natural Resources.

2003–04 Seismic Safety Commission Assessment Report (Pursuant to Insurance Code Section 10089.45 (e))

Above transmitted report, together with letter of transmittal from John Garamendi, Insurance Commissioner, dated December 9, 2004, referred by the Speaker to the Committee on Insurance.

Specific Information Relevant to State of California Salaries of Female-Dominated Classifications December 2004 Report (Pursuant to Government Code Section 19827.2)

Above transmitted report, together with letter of transmittal from Robert K. Clifford, Chief, Policy Development Office, Department of Personnel Administration, dated December 10, 2004, referred by the Speaker to the Committee on Labor and Employment.

The Carl Moyer Program Annual Status Report (Pursuant to Health and Safety Code Section 44295 (a))

Above transmitted report, together with letter of transmittal from Alan C. Lloyd, Ph.D., Chairman, Air Resources Board, dated December 9, 2004, referred by the Speaker to the Committee on Transportation.

State Water Resources Control Board (SWRCB) and Regional Water Quality Control Board's Reports on Non-Point Source Pollution-Related Information, Fiscal Year 2003–04 (Pursuant to Water Code Section 13369 (b))

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated December 9, 2004, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

SPECIAL COMMITTEE MEETINGS

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

Joint Legislative Audit Committee, on Tuesday, January 11, 2005, at 9 a.m., in Room 4202.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 80—Houston. An act to add Section 6377 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 81—Leslie. An act to add Section 4291.5 to the Public Resources Code, relating to the Tahoe Basin, and making an appropriation therefor.

ASSEMBLY BILL NO. 82—Calderon. An act to amend Section 3701.5 of, and to add Article 2.3 (commencing with Section 3737) to Chapter 4 of Part 1 of Division 4 of, and to add Sections 3741.1 and 3748 to, the Labor Code, relating to workers' compensation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 83—Leslie. An act relating to swimming pools.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 4:30 p.m., Wednesday, January 5, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 5, 2005
FOURTH SESSION DAY
THIRTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 5, 2005

The Assembly met at 4:41 p.m.
Hon. Fabian Núñez, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Frommer moved a quorum call of the Assembly.
Motion carried. Time, 4:43 p.m.
The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 4:45 p.m., Speaker Núñez declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

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

PRAYER

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

Lord, You are our shield from danger. You give us victory and restore our courage. You protect us even as we sleep and so we are not afraid of any intimidation from anyone, even those who say that no help can come from God. The truth is that victory comes from You, Lord, and we ask this evening that You bless us and the work we do in this chamber.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Núñez, Assembly Member Cogdill then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

Because of illness: Assembly Member Jerome E. Horton.

COMMUNICATIONS

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

January 4, 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 Patty Berg as the Chair of the Aging and Long-Term Care Committee and Assemblymember Jenny Oropeza as the Chair of the Transportation Committee for the 2005–2006 Regular Session.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 4, 2005

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

RE: Appointment of Daisy Ma
to Bureau of Naturopathic Medicine Advisory Council

Dear Mr. Wilson: Please be advised I have appointed Ms. Daisy Ma to the Bureau of Naturopathic Medicine Advisory Council. This is a term appointment starting January 4, 2005 and the expiration date is June 1, 2008.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 5, 2005

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

RE: Appointment of Dave Jones
to Capitol Area Committee

Dear Mr. Wilson: Please be advised I have appointed Hon. Dave Jones to the Capitol Area Committee. This is a term appointment starting January 5, 2005 and the expiration date is December 31, 2007. Assemblymember Jones will be replacing former Assemblymember Steinberg.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Joint Legislative Audit Committee, on Monday, January 10, 2005, at 2 p.m., in Room 4202.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 84—Leslie and Laird. An act to add Section 5076 to the Vehicle Code, relating to vehicles.

REQUEST FOR GUESTS AND PHOTOGRAPHERS

Assembly Member Frommer was granted unanimous consent that a photographer be permitted on the Floor of the Assembly and in the Assembly Gallery.

RECESS

By unanimous consent, at 4:48 p.m., Speaker Núñez declared the Regular Session of the Assembly recessed.

IN JOINT CONVENTION

At 4:48 p.m., the Senate and Assembly met in Joint Convention. Hon. Fabian Núñez, Speaker of the Assembly, presiding.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Speaker Núñez appointed Assembly Members Ridley-Thomas, Leslie, Evans, Runner, Oropeza, and Villines and Senators Ackerman, Migden, Margett, Murray, Poochigian, and Romero as a Joint Committee on Escort to escort Governor Arnold Schwarzenegger to the Joint Convention.

INTRODUCTION OF FIRST LADY OF CALIFORNIA

Speaker Núñez introduced Maria Shriver, First Lady of California, to the Joint Convention.

INTRODUCTION OF CONSTITUTIONAL OFFICERS AND SPECIAL GUESTS

Speaker Núñez introduced Hon. Cruz Bustamante, Lieutenant Governor; Hon. Bill Lockyer, Attorney General; Hon. Kevin Shelley, Secretary of State; Hon. Phil Angelides, Treasurer; Hon. Steve Westly, Controller; Hon. Jack O'Connell, Superintendent of Public Instruction; Hon. John Garamendi, Insurance Commissioner; and Board of Equalization Members: Hon. Betty Yee (District 1); Hon. Bill Leonard (District 2); Hon. Claude Parrish (District 3); and Hon. John Chiang (District 4).

INTRODUCTION OF SUPREME COURT JUSTICES

Speaker Núñez introduced Hon. Ronald M. George, Chief Justice of California; and Associate Justices Hon. Joyce L. Kennard, Hon. Marvin R. Baxter, Hon. Kathryn M. Werdegar, Hon. Ming Chin, Hon. Janice Rogers Brown, and Hon. Carlos Moreno.

PRESENTATION OF PRESIDENT PRO TEMPORE OF THE SENATE

Speaker Núñez then presented the Honorable Don Perata, President pro Tempore of the Senate.

PRESENTATION OF LIEUTENANT GOVERNOR

President pro Tempore Perata then presented the Honorable Cruz M. Bustamante, Lieutenant Governor and President of the Senate.

PRESENTATION OF GOVERNOR

Lieutenant Governor Bustamante then presented the Honorable Arnold Schwarzenegger, Governor of the State of California to the Joint Convention.

ADDRESS BY GOVERNOR

Governor Schwarzenegger then addressed the Joint Convention.

ADJOURNMENT OF JOINT CONVENTION

At 5:41 p.m., there being no further business, Speaker Núñez declared the Joint Convention adjourned *sine die*.

IN ASSEMBLY

At 5:43 p.m., the Assembly reconvened.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

GOVERNOR'S ADDRESS PRINTED IN JOURNAL

Without objection, the following text of Governor Arnold Schwarzenegger's State of the State Address was printed in the Journal:

**Governor Schwarzenegger's State of the State Address
January 5, 2005**

Thank you, Lieutenant Governor Bustamante, President pro Tem Perata, Speaker Núñez, Senate Republican Leader Ackerman, Assembly Republican Leader McCarthy, my fellow representatives of the people. Once again I am honored to stand in this chamber.

Right off I want to say, Maria, thank you for all you've done for me, for our family and for California over this past year. All of us in elective office know the sacrifices our families must make, and so I also want to acknowledge the sacrifices and contributions of *your* families. I want you and them to know that our state is grateful.

My friends, I look forward to working with you on the people's business. We have a lot to do, and I believe we can do it.

In these State of the State speeches, governors often begin by listing their accomplishments of the past year. I will do the same.

The year before I took office as governor, California had 300 days of sunshine. Last year, under my administration, we had 312 days of sunshine. That's what true leadership is all about.

In all seriousness, this last year we faced some dark days. The shadow of 22 billion dollars in inherited debt loomed over us. The great state of California, the sixth largest economy in the world, the symbol of the American dream, faced economic ruin.

The most important thing we did last year—we grabbed California by the collar just before it slipped into a financial black hole. We slowed the growth in spending, renegotiated contracts, secured more than a billion dollars in new federal financial support. We should feel good about what we accomplished together.

Yet the greatest rescuers of the state are not those of us in this room, but the people of California. They are the ones who passed Prop 57, which issued the bonds to prevent the state's collapse. They are the ones who passed Prop 58, which prevents the state from borrowing money to cover future deficits.

I want to thank my fellow Californians for their confidence that together we can turn this government and its finances around.

The people saved the state from bankruptcy, but they were very clear about one thing. They said, "We will do this once to clean up the past, but do not let it happen again."

Last year we stopped the bleeding. This year we must heal the patient.

To continue California's recovery, this year we must do two things.

To solve the budget's continuing structural deficit, we must reform the way the government spends its money. And to restore the trust of the people, we must reform the way the government operates.

My friends, this is a time for choosing.

Will California have a government that encourages the dreams of the people? Or will the decline of recent years accelerate and further destroy the people's faith in their government? We must not let that happen.

I get up every morning wanting to fix things here in Sacramento. I ask you today: Help me fix them.

Last year, we worked together to avert a crisis. This year we must address its causes.

Tomorrow, I will convene a special session to address the financial, educational and governmental reforms that civic responsibility demands.

In this special session, I ask you to work with me on four reforms.

The first relates to the financial situation that we face.

I'm going to tell you something that you know in your hearts to be true. In every meeting I attend in Sacramento, there's an elephant in the room. In public, we often act like it's not there. But, in private, you come up to me—Republican and Democrat alike—and you tell me the same thing, “Arnold, if only we could change the budget system. But the politics are just too dangerous.”

The elephant in the room is a budget system that has removed our ability to make the best decisions for California. It has taken away the freedom and the responsibility of legislating. We can change that.

My colleagues, I say to you, political courage is not political suicide. Ignore the lobbyists. Ignore the politics. Trust the people.

Last year, we had \$78 billion in revenues coming in. The great news is that this year, we have \$83 billion coming in, over \$5 billion more than last year. Now that is terrific.

However, various budget formulas require us to spend over \$10 billion more.

Do the math. Our revenue increases by more than 5 billion but our spending increases by over 10 billion. We don't have a revenue problem. We have a spending problem.

In fact, the way the formulas now work, we will never catch up. No matter how well we do, the current system is programmed to spend even more.

It is on automatic pilot. It is accountable to no one. Where will it all stop? How will it stop unless we stop it?

The truth is that we cannot fix the budget deficit without first fixing the budget system. The Constitution requires that I submit a budget to you, which I will do in a few days.

Yes, it sounds good, and it would get us through the current year, but I do not like this budget at all. It does not solve our ongoing structural problem, because our deficit the following year will be even worse.

It does not restore the integrity of the budgetary process. It is a painful budget forced upon us by a broken system.

And we all know what's going to happen. The special interests will run TV ads calling me cruel and heartless. They will organize protests out in front of the Capitol. They will try to say I don't understand the consequences of these decisions.

Let me tell you something. I am well aware there are lives behind the numbers. But I have a responsibility for the fiscal health of this state and for the honesty of its finances.

A lot of people say, "Arnold, why don't you just raise taxes and be done with it?" Well, as I said earlier, we don't have a revenue problem. We have a spending problem. We could raise taxes by billions but that would only further drive up spending by billions of dollars.

California would never come out ahead. Our economy would suffer, jobs would be lost and the people would be punished. Unless we go to the root of the problem and reform the system, the budget will continue to be one big fight, year after year after year. I don't mind a fight, but if there is to be one, let it be over new, important things that move us beyond the past.

Therefore, in the special session, I will submit to you legislation that cuts expenditures across the board when they grow above revenues.

We must take back responsibility for the budget. We must have a new approach that overrides the formulas, overrides the special interests and overrides the forces that have turned some of you from legislators into clerks.

Now, related to this, is the second item we must tackle in our reform session.

Like the budget itself, our state pension system is another financial train on another track to disaster.

California's pension obligations have risen from \$160 million in 2000 to \$2.6 billion this year. Another government program out of control, threatening our state. Accordingly, we must do what business has been doing.

For new employees, we must move from a defined benefit to a defined contribution system. We need a public pension system that is fair to employees *and* to taxpayers.

Now, the third item relates to the education of our children. California will spend \$50 billion on K through 14 education this year; that's \$2.9 billion more than last year. Nearly half the state's budget is dedicated to education.

What do we get for that money? We get many wonderful and dedicated teachers. We get many children who are doing terrific.

But \$50 billion, and we still have 30 percent of high school students not graduating. That is a human disaster.

\$50 billion and we still have hundreds of schools that are failing. That is an institutional disaster.

\$50 billion and the majority of our students cannot even perform at their grade level. That is an educational disaster.

So, where do we start? We start in the classroom. We start with those who hold our children's learning in their hands. We start with the teachers.

Let me say this to every California teacher who is opening the minds of our children and nurturing their lives: I want to reward you for your hard work. I want to reward you for the sacrifices you make. I want to reward you for the learning that you instill.

But I cannot do so under the current system. Help me change it.

We must financially reward good teachers and expel those who are not. The more we reward excellent teachers, the more our teachers will be excellent. The more we tolerate ineffective teachers, the more our teachers will be ineffective.

So, in the special session, I propose that teacher pay be tied to merit, not tenure. And I propose that teacher employment be tied to performance, not to just showing up.

And I want to say to every Californian who has a child: “Your child deserves a good teacher. An educational system that rewards and protects a bad teacher at the expense of a child is wrong. And I intend to change that system.”

My colleagues, this is going to be a big political fight. This is a battle of the special interests versus the children’s interests. Which will you choose?

I will also introduce measures to further charter schools, vocational education and fiscal transparency so people know how every educational dollar is spent at their local schools.

Fourth, we must make California’s elections democratic once again. When I was studying to take my citizenship test, I learned about gerrymandering and how politicians changed the boundaries of a voting area to protect themselves. For a long time I thought that was something that happened way back in the 1800’s, but the practice is still alive and well today.

Here is a telling statistic: 153 of California’s congressional and legislative seats were up in the last election and *not one* changed parties.

What kind of democracy is that?

I will propose that an independent panel of retired judges—*not* politicians—determine California’s legislative and congressional districts. They can draw fair, honest district lines that make politicians of both parties accountable to the people.

The current system is rigged to benefit the interests of those in office . . . not the interests of those who put them there. And we must reform it.

On top of the reforms to be addressed in the special session, we must also reform and reorganize the structure of government itself. We need a 21st Century government to match a 21st Century world.

Over the past year, we streamlined the state’s purchasing system, consolidating our huge buying power into one entity rather than splitting it among hundreds.

We cut the average wait time at the Department of Motor Vehicles from more than an hour to less than 20 minutes.

We eliminated delays of up to 13 months for the state licensing of nurses, barbers, contractors and many others.

Good management is crucial, but we need even bigger solutions.

A year ago, I told you that I wanted to blow up the boxes. Well, we have lit the fuse. The California Performance Review has done an outstanding job. 285 people have worked for 9 months looking at how to eliminate duplication and increase accountability in government. They received the views of 10,000 Californians. They held public hearings and produced a 2,000-page report.

Thanks to the Performance Review and the leadership of Secretary Rod Hickman, the Youth & Adult Correctional Agency—an agency with a \$6 billion budget and 54,000 employees—will be the first agency that we reorganize. Its need is the most urgent.

This is an agency in which there has been too much political influence, too much union control and too little management courage and accountability.

For many months, you could not pick up a newspaper without reading about a youth dying in prison, or codes of silence, or abuses of force. I want to put the corrupt people in our prisons on the same side of the bars.

Tomorrow, I will send to the Little Hoover Commission our plan to reorganize this agency. And I want to say this to the many honest and hardworking people who work in corrections: thank you for your perseverance, and thank you for your hard work. We will free you from the prison of waste and mismanagement in which you have been held.

California was once the national leader, a pioneer, in corrections integrity, innovation and efficiency. We can make it so once again.

More reorganizations of other agencies will follow in the months ahead.

I can also announce that we intend to wipe out nearly 100 unnecessary boards and commissions, abolishing over 1000 political appointments in the process.

No one paid by the state should make \$100,000 a year for only meeting twice a month.

I know the special interests will oppose all the reforms I have mentioned. Any time you try to remove one dollar from the budget, there are five special interests tugging on the other end. Anytime you try to make something more efficient, there are a half-dozen special interests trying to prevent it.

The result is that nothing changes in Sacramento. This place is in the grip of the special interests.

The people of California demand reform. That is what the recall election was all about. That is what the ballot process is about. And that is what this special session is about.

A special session will allow us to work together quickly, so that people can vote on our reforms in an election by early summer.

If we here in this chamber don't work together to reform the government, the people will rise up and reform it themselves. And I will join them. And I will fight with them.

With the reforms that I've outlined, we can build upon the progress we've made in just the last year.

Our credit rating is up. Our business climate is improving. We passed workers' compensation reform. We took action to curb frivolous and shakedown lawsuits. We killed other measures that would discourage businesses from creating jobs here.

A record number of Californians now have jobs. Our state outpaced the nation by creating nearly 150,000 jobs in the last year. Our unemployment rate is the lowest since September 11, 2001.

If a politician tries to take credit for job growth, don't believe it. Ladies and gentlemen, I did not create this record number of jobs.

Businesses created them. Small businesses. Large businesses. Women-owned businesses. Minority-owned businesses.

We have such great entrepreneurial drive in this state. All we must do to enjoy its benefits is to let it loose and get out of the way.

And, over the next year, we can continue moving forward, with more employment, more businesses coming back, more revenues coming in. And we have other good news. We signed agreements with Indian

gaming tribes that should provide about a billion dollars for transportation this year. Not only will this improve California's highways, it will also create 16,000 new jobs.

When I first came to California, the roads fascinated me. Californians can't get from place to place on little fairy wings. This is a car-centered state. We need roads.

Like Governor Pat Brown before me, I intend to see that the government builds the roads that Californians need.

We need roads and we need affordable housing. The median price of a home in California is \$460,000. That is too much. A home of your own is part of the American Dream. I believe in such dreams, so I will propose legislation that eliminates regulatory and legal hurdles that delay construction and increase the costs of new housing.

I want a California where people spend less time sitting on the freeway and more time in the homes that they own.

I believe we can meet our transportation, our housing and our business needs and still improve the environment. Last year we made progress on launching the Hydrogen Highway, encouraging green buildings, putting solar in more homes.

We took steps to safeguard California's ocean and coastline. And we also established the 25 million acre Sierra Nevada Conservancy, the largest in the nation.

I love riding my motorcycle along the Pacific Coast Highway—the freedom of the road and the smell of the sea. That is the California spirit.

Closely related to the environment is energy. California has long been the national leader in energy conservation. We must continue that leadership, but we cannot conserve our way out of our long-term energy crunch.

Yes, we need conservation. Yes, we need renewable energy. But California also needs power plants and transmission lines. We need more of them and we need them as soon as possible.

We're already increasing our reserves and encouraging long-term contracts. And I am pleased to report that we're beginning to see investments that will put steel in the ground and power on the lines. This is a modern society and a modern society must have abundant and affordable power.

Another thing every state needs is affordable health care for its citizens. Millions of Californians lack coverage for the prescription drugs they need. Many of these people are the working poor who do not qualify for assistance.

Therefore, I am announcing a prescription drug discount card with minimal costs to the state. We will make prescription drugs available to nearly 5 million low-income Californians, at prices competitive with those from Canada.

We have so many good things in this state. Over the last year I have traveled the world to let people know about those good things.

Do you know why California is so easy to sell? Do you know why we attract the world's attention? Because California invents the future. It's known for its innovation, its creativity, its energy.

We are a forward-looking people, and we must have a forward-looking government.

Help me apply the natural innovation and imagination of our people—to government, to education, to transportation, to the improvement of our society.

That is the job of those of us who serve the people. I welcome and seek your ideas, but do not bring me small ideas; bring me big ideas to match our future. Bring me reforms to equal our problems.

What I propose will demand political sacrifice from all of us, but it is nothing compared to the sacrifice of thousands of Californians in uniform. Many have left their blood and their buddies in the sands of a foreign land.

When we ask them to risk their lives for democracy over there, how dare we not take the risk to reform our democracy here!

Our troops should come home to a government as noble as their sacrifice.

Ask yourselves, what do they want from us beside our political courage?

They want jobs so that they can support their families and afford health care and a home of their own. They want good schools where their children are safe. They want an environment that is clean. They want a society that cares for the sick and needy. They want honest and responsive government.

These things are not too much for the people to ask. These things are not too much for government to provide.

But these things will not happen without reform.

My fellow representatives, in closing, I make this appeal to you. Join me in regaining control of California's financial future. Join me in restoring the trust of the people. Join me in introducing a bold, new era of reform in California.

ANNOUNCEMENTS

Speaker Núñez announced the following session schedule:
Thursday, January 6, 2005, Floor Session, at 9:30 a.m.

ADJOURN IN MEMORY

Assembly Members Spitzer and Daucher were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Don Smith, of Orange.

MOTION TO ADJOURN

At 5:44 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member McCarthy seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:45 p.m., Speaker Núñez declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 5:45 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 9:30 a.m., Thursday, January 6, 2005, out of respect to the memory of Don Smith, on motion of Assembly Members Spitzer and Daucher.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 6, 2005

FIFTH SESSION DAY

THIRTY-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
Thursday, January 6, 2005

The Assembly met at 9:30 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy moved a quorum call of 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 9:33 a.m., Speaker pro Tempore Yee declared the quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

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

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

O Gracious God, It is with seeking hearts that we call upon Your name this morning.

We seek Your will and Your way. We seek Your wisdom and pray that You will give us discernment in a world of unprecedented choices and voices. We seek for more compassion in this world rocked by the Tsunami disaster, poverty, ethnic fighting, and war.

And yes, O God, we seek Your guidance on this day of session in these legislative halls. So please guide us as You can.

In Thy powerful, compassionate, and merciful name I pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Umberg.

EXPLANATIONS OF ABSENCE

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

January 5, 2005

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

Dear Speaker Núñez: I respectfully ask you to excuse me from session on Thursday, January 6 due to Legislative business in my district.

If you have any questions or concerns about this request please contact Jordan Brandman of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member
Sixty-ninth District

COMMUNICATIONS

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

January 6, 2005

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

RE: Appointment of Ron Vrilakas
to Capitol Area Committee

Dear Mr. Wilson: Please be advised I have appointed Mr. Ron Vrilakas to the Capitol Area Committee. This is a term appointment starting January 6, 2005 and the expiration date is December 31, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

The Budget Allocation Workshop Report
(Pursuant to Assembly Bill 1752, Chapter 225, Statutes of 2003)

Above transmitted report, together with letter of transmittal from Susan R. Terek, Legislative Director, Department of Child Support Services, dated December 10, 2004, referred by the Speaker to the Committee on Budget.

The Impact of Licensure by Credential on the
Availability of Dentists in California
(Pursuant to Business and Professions Code Section 1635.5 (c))

Above transmitted report, together with letter of transmittal from Cynthia Gatlin, Executive Officer, Dental Board of California, dated December 21, 2004, referred by the Speaker to the Committee on Business and Professions.

California State Lottery Fund: Financial Statements
September 30, 2004
(Prepared From Books Without Audit)
(Pursuant to Government Code Section 8880.22)

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Director, Finance and Administration Division, California Lottery, dated December 14, 2004, referred by the Speaker to the Committee on Governmental Organization.

Report on the California Department of Corrections
Workers' Compensation Program (Fiscal Year 2002-2003)
(Pursuant to Assembly Bill 749, Chapter 6, Statutes of 2002)

Above transmitted report, together with letter of transmittal from J.S. Woodford, Director, Department of Corrections, dated December 23, 2004, referred by the Speaker to the Committee on Insurance.

**California Recycle Underutilized Sites (Cal Re USE) Program
(Pursuant to Health and Safety Code Section 44525.7)**

Above transmitted report, together with letter of transmittal from Eileen Marxen, Deputy Director, California Pollution Control Financing Authority, dated December 31, 2004, referred by the Speaker to the Committee on Banking and Finance.

**Sustainable Communities Grant and Loan Program
Report of Activities 2004
(Pursuant to Health and Safety Code Section 44525.6)**

Above transmitted report, together with letter of transmittal from Eileen Marxen, Deputy Director, California Pollution Control Financing Authority, dated December 31, 2004, referred by the Speaker to the Committee on Banking and Finance.

**Annual Audited Financial Statements and Reports of
the Golden State ScholarShare College Savings Trust and
the Governor's Scholarship Programs
(Pursuant to Education Code Sections 69989 and 6996(f))**

Above transmitted report, together with letter of transmittal from Carrie Douglas Fong, Executive Director, ScholarShare Investment Board, dated December 14, 2004, referred by the Speaker to the Committee on Higher Education.

**2003–2004 Disabled Veterans Business Enterprise (DVBE)
Contracting Activity Reports
(Pursuant to Public Resources Code Section 10115.5 and
Military and Veterans Code Section 999.7) from:**

Department of Veterans Affairs, Tom Johnson, Secretary, dated December 10, 2004;

Colorado River of California, Lori Jones, Office Technician, dated December 14, 2004;

Department of Community Services and Development, Donna Fairchild, Contract Officer, dated December 16, 2004;

California Integrated Waste Management Board, Mark Leary, Executive Director, dated December 17, 2004;

Department of Corporations, Frederick Topete, Chief, Business Operations and Program Support, dated December 20, 2004;

California Conservation Corps, Rhonda Valdry, Manager, Business Services and Contracts Branch, dated December 21, 2004;

Department of Motor Vehicles, Shamin Khan, Deputy Director, dated December 22, 2004;

Office of the Treasurer, Hugo Lopez, Director, Administration Division, dated December 23, 2004;

Air Resources Board, Catherine Witherspoon, Executive Officer, dated December 24, 2004;

Department of Industrial Relations, Ann Rose, Chief, Division of Administration, dated December 28, 2004;

California Managed Risk Medical Insurance Board, Gina Van Nes, Associate Business Management Analyst, dated December 28, 2004;

Department of Food and Agriculture, Paula Lewis, Acquisitions Manager, Departmental Services Branch, Administrative Services, dated December 29, 2004;

California Student Aid Commission, Elia O'Brien, Business Services Assistant, dated December 29, 2004;

California Horse Racing Board, Wendy Voss, Assistant Chief of Administration, dated December 30, 2004;

California Coastal Commission, Lane Yee, Chief, Administrative Services, dated December 30, 2004.

Referred by the Speaker to the Committee on Veterans Affairs.

CAUCUS ANNOUNCEMENTS

At 9:39 a.m., Assembly Member Frommer was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

At 9:39 a.m., Assembly Member Bogh was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 9:40 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 9:58 a.m., the Assembly reconvened.

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

REQUEST FOR PHOTOGRAPHER

Assembly Members Shirley Horton and Saldaña were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ANNOUNCEMENTS

Assembly Member Jones announced that the body of Congressman Robert Matsui will lie in state in the Rotunda of the State Capitol from 3 p.m. on Thursday, January 6, 2005 until 3 p.m. Friday, January 7, 2005.

RECESS

By unanimous consent, at 10:06 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 10:10 a.m., the Assembly reconvened.

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

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Montañez announced that the Committee on Rules would meet today at 10:12 today, a.m. in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10:12 a.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

REFERENCE OF BILLS TO COMMITTEE

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

*Assembly**Bill No.**Committee*

1	-----	Ed.
2	-----	E. & R.
3	-----	Rev. & Tax.
4	-----	Pub. S.
5	-----	E. & R.
6	-----	Rev. & Tax.
7	-----	W.,P. & W.
8	-----	Health
10	-----	Health
11	-----	L. Gov.
12	-----	Jud.
13	-----	Ed.
15	-----	Ed.
16	-----	E. & R.
17	-----	Nat. Res. and G.O.
19	-----	Jud.
22	-----	Pub. S.
23	-----	Higher Ed.
24	-----	W.,P. & W.
26	-----	Trans. and Jud.
27	-----	L. Gov.
29	-----	Rev. & Tax.
33	-----	Pub. S.
34	-----	Rev. & Tax.
35	-----	Pub. S.
36	-----	Ed.
38	-----	B. & P.
39	-----	Ed. and Higher Ed.
40	-----	E. & R.
41	-----	Pub. S.
42	-----	A.,E.,S.,T. & I.M.
43	-----	E. & R.
44	-----	Health
45	-----	E. & R.
46	-----	Pub. S.
47	-----	Health
49	-----	Ed. and Higher Ed.
51	-----	L. & E.
52	-----	G.O.
54	-----	B. & P.
55	-----	P.E.,R. & S.S.
56	-----	Trans.
57	-----	L. & E.
58	-----	Ed. and Higher Ed.
59	-----	Pub. S.
60	-----	Ed.
62	-----	Rev. & Tax.

- 63 ----- H. & C.D. and Aging & L.T.C.
- 65 ----- Health
- 66 ----- Ed.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
2 -----	Rls.
3 -----	Rls.
4 -----	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
1 -----	Rls.
2 -----	V.A.
3 -----	Jud.

House

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

CONGRATULATIONS EXTENDED TO ASSEMBLY MEMBER FROMMER

Assembly Member McCarthy was joined by the Members of the Assembly in extending congratulations to Assembly Member Frommer and his spouse, Lorraine Paskett, on the occasion of their recent marriage.

CONGRATULATIONS EXTENDED TO ASSEMBLY MEMBER TRAN

Speaker pro Tempore Yee was joined by the Members of the Assembly in extending congratulations to Assembly Member Tran and his spouse, Cindy Tran, on the occasion of their recent marriage.

ADJOURN IN MEMORY

Assembly Members Chu and Lieber were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Iris Chang, of San Jose.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Betty Jean McCollum Padilla, of Merced.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member La Suer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Benjamin Mark Braun, of La Mesa.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENT

Speaker pro Tempore Yee announced the following session schedule: Monday, January 10, 2005, Floor Session, at 12 noon.

**REPORTS OF STANDING COMMITTEES
Committee on Rules**

Date of Hearing: January 6, 2005

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 4

With the recommendation: Be adopted.

MONTAÑEZ, Chair

HOUSE RESOLUTION NO. 4 TAKEN UP BY UNANIMOUS CONSENT

Assembly Member Dymally was granted unanimous consent to take up House Resolution No. 4, without reference to file.

HOUSE RESOLUTION NO. 4—Relative to the Asian tsunami disaster.
Resolution read.

Members Made Coauthors of House Resolution No. 4

Assembly Member Dymally was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 4.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Emmerson, Evans, Frommer, Garcia, Goldberg, Gordon, Hancock, Harman, Jerome Horton, 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, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Dymally was granted unanimous consent to take up House Resolution No. 4, as amended, without reference to print or file.

Consideration of House Resolution No. 4, as Amended

HOUSE RESOLUTION NO. 4—Relative to the Asian tsunami disaster.
Resolution read, as amended, and adopted.

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Shawn Fagen, of Ceres.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Stamps, of Del Norte.

Assembly Members Evans and Nation were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. William Dickerson, of Novato.

Assembly Members Evans and Berg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Douglas Pitter, of Sebastopol.

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 Joseph Hemingway, of Watsonville and Rodney Glisan Kennedy-Minott, of Monterey.

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 Sandra Rutherford Allen, of Benicia; Lucille E. Barry, Loren B.W. Frankel, Eldon R. Clauson, and Raymond D. Kivley, of Davis; Louise Preston Kelly, of Dixon; Anthony M. Agnello, Alexius Aiu, and Wilfred Byrd, of Fairfield; John James Chechov and Mary Lynn Duff, of Vacaville; Virginia Catherine Turner, of West Sacramento; Laina C. Boosembark and Keith E. Gould, of Woodland.

MOTION TO ADJOURN

At 10:22 a.m., Assembly Member Gordon moved that the Assembly do now adjourn.

Assembly Member Bogh seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Baca arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Gordon that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:23 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 85—Maze. An act to amend Sections 48000, 48001, and 48002 of, and to repeal Section 48002.5 of, the Food and Agricultural Code, relating to citrus fruit crops, and making an appropriation therefor.

ASSEMBLY BILL NO. 86—Levine. An act to amend Section 11108 of the Penal Code, relating to firearms.

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

ASSEMBLY BILL NO. 88—Koretz. An act to amend Section 12280 of the Penal Code, relating to assault weapons.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 5—Mountjoy and Goldberg. Relative to the Abiel Barron Memorial Highway.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: January 6, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 4

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

COMMUNICATIONS

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

January 6, 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 made the following appointments to Assembly Standing Committees and Subcommittees, effective today, January 6, 2005:

Aging and Long-Term Care

The membership of this committee remains the same with 5 members.

- Assemblymember Patty Berg, Chair
- Assemblymember Rudy Bermúdez
- Assemblymember Joe Canciamilla
- Assemblymember Lynn Daucher, Vice Chair
- Assemblymember Mimi Walters

Agriculture

I have reduced the membership of this committee from 10 to 8 members.

Assemblymember Barbara Matthews, Chair
Assemblymember Patty Berg
Assemblymember Nicole Parra
Assemblymember Simón Salinas
Assemblymember Juan Vargas
Assemblymember Bill Maze, Vice Chair
Assemblymember Sam Blakeslee
Assemblymember Dave Cogdill

Appropriations

I have reduced the membership of this committee from 21 to 18 members.

Assemblymember Judy Chu, Chair
Assemblymember Karen Bass
Assemblymember Patty Berg
Assemblymember Ron Calderon
Assemblymember Mike Gordon
Assemblymember Johan Klehs
Assemblymember Betty Karnette
Assemblymember Mark Leno
Assemblymember Joe Nation
Assemblymember Jenny Oropeza
Assemblymember Mark Ridley-Thomas
Assemblymember Lori Saldaña
Assemblymember Leland Yee
Assemblymember Sharon Runner, Vice Chair
Assemblymember Bill Emmerson
Assemblymember Ray Haynes
Assemblymember Alan Nakanishi
Assemblymember Mimi Walters

Arts, Entertainment, Sports, Tourism and Internet Media

I have reduced the membership of this committee from 13 to 11 members.

Assemblymember Ed Chavez, Chair
Assemblymember Rebecca Cohn
Assemblymember Jerome Horton
Assemblymember Betty Karnette
Assemblymember Paul Koretz
Assemblymember Barbara Matthews
Assemblymember Mark Ridley-Thomas
Assemblymember Tom Umberg
Assemblymember Audra Strickland, Vice Chair
Assemblymember Tom Harman
Assemblymember Doug La Malfa

Banking and Finance

I have reduced the membership of this committee from 13 to 8 members.

Assemblymember Ron Calderon, Chair
Assemblymember Ed Chavez
Assemblymember Nicole Parra
Assemblymember Ira Ruskin
Assemblymember Juan Vargas
Assemblymember Roger Niello, Vice Chair
Assemblymember Doug La Malfa
Assemblymember Van Tran

Budget

I have reduced the membership of this committee from 30 to 25 members.

Assemblymember John Laird, Chair
Assemblymember Juan Arambula
Assemblymember Rudy Bermúdez
Assemblymember Wilma Chan
Assemblymember Joe Coto
Assemblymember Hector De La Torre
Assemblymember Mervyn Dymally
Assemblymember Noreen Evans
Assemblymember Jackie Goldberg
Assemblymember Loni Hancock
Assemblymember Cindy Montañez
Assemblymember Gene Mullin
Assemblymember Pedro Nava
Assemblymember Nicole Parra
Assemblymember Fran Pavley
Assemblymember Lois Wolk
Assemblymember Rick Keene, Vice Chair
Assemblymember John Benoit
Assemblymember Sam Blakeslee
Assemblymember Dave Cogdill
Assemblymember Chuck DeVore
Assemblymember Lynn Daucher
Assemblymember Bob Huff
Assemblymember George Plescia
Assemblymember Michael Villines

Budget Subcommittee #1—Health and Human Services

Membership on this committee remains the same with 5 members.

Assemblymember Hector De La Torre, Chair
Assemblymember Loni Hancock
Assemblymember Gene Mullin
Assemblymember Dave Cogdill
Assemblymember Rick Keene

Budget Subcommittee #2—Education Finance

Membership on this committee remains the same with 6 members.

Assemblymember Mervyn Dymally, Chair
Assemblymember Wilma Chan
Assemblymember Joe Coto
Assemblymember Jackie Goldberg
Assemblymember Lynn Daucher
Assemblymember Bob Huff

Budget Subcommittee #3—Resources

I have reduced the membership of this committee from 7 to 5 members.

Assemblymember Fran Pavley, Chair
Assemblymember Noreen Evans
Assemblymember Cindy Montañez
Assemblymember Sam Blakeslee
Assemblymember George Plescia

Budget Subcommittee #4—State Administration

I have reduced the membership of this committee from 6 to 5 members.

Assemblymember Rudy Bermúdez, Chair
Assemblymember Juan Arambula
Assemblymember Nicole Parra
Assemblymember Chuck DeVore
Assemblymember Michael Villines

Budget Subcommittee #5—Information Technology/Transportation

I have reduced the membership of this committee from 5 to 3 members.

Assemblymember Pedro Nava, Chair
Assemblymember Lois Wolk
Assemblymember John Benoit

Business and Professions

I have reduced the membership of this committee from 13 to 10 members.

Assemblymember Gloria Negrete McLeod, Chair
Assemblymember Karen Bass
Assemblymember Dario Frommer
Assemblymember Paul Koretz
Assemblymember Joe Nation
Assemblymember Juan Vargas
Assemblymember Leland Yee
Assemblymember Shirley Horton, Vice Chair
Assemblymember Bill Maze
Assemblymember Van Tran

Education

The membership of this committee remains the same with 11 members.

Assemblymember Jackie Goldberg, Chair
Assemblymember Juan Arambula
Assemblymember Joe Coto
Assemblymember Loni Hancock
Assemblymember Carol Liu
Assemblymember Gene Mullin
Assemblymember Fran Pavley
Assemblymember Tom Umberg
Assemblymember Mark Wyland, Vice Chair
Assemblymember Bob Huff
Assemblymember Keith Richman

Elections and Redistricting

I have reduced the membership of this committee from 7 to 6 members.

Assemblymember Tom Umberg, Chair
Assemblymember Johan Klehs
Assemblymember Mark Leno
Assemblymember Lloyd Levine
Assemblymember Mark Wyland, Vice Chair
Assemblymember Michael Villines

Environmental Safety and Toxic Materials

The membership of this committee remains the same with 7 members.

Assemblymember Ira Ruskin, Chair
Assemblymember Judy Chu
Assemblymember Hector De La Torre
Assemblymember Jackie Goldberg
Assemblymember Jerome Horton
Assemblymember Van Tran, Vice Chair
Assemblymember Audra Strickland

Governmental Organization

I have reduced the membership of the committee from 26 to 15 members.

Assemblymember Jerome Horton, Chair
Assemblymember Rudy Bermúdez
Assemblymember Ron Calderon
Assemblymember Ed Chavez
Assemblymember Joe Coto
Assemblymember Lloyd Levine
Assemblymember Carol Liu
Assemblymember Gloria Negrete McLeod
Assemblymember Alberto Torrico
Assemblymember Leland Yee
Assemblymember George Plescia, Vice Chair
Assemblymember Greg Aghazarian
Assemblymember Bonnie Garcia
Assemblymember Jay La Suer
Assemblymember Dennis Mountjoy

Health

I have reduced the membership of this committee from 18 to 13 members.

Assemblymember Wilma Chan, Chair
Assemblymember Patty Berg
Assemblymember Rebecca Cohn
Assemblymember Mervyn Dymally
Assemblymember Dario Frommer
Assemblymember Mike Gordon
Assemblymember Dave Jones
Assemblymember Cindy Montañez
Assemblymember Gloria Negrete McLeod
Assemblymember Greg Aghazarian, Vice Chair
Assemblymember Alan Nakanishi
Assemblymember Keith Richman
Assemblymember Audra Strickland

Higher Education

The membership of the committee remains the same with 7 members.

Assemblymember Carol Liu, Chair
Assemblymember Karen Bass
Assemblymember Barbara Matthews
Assemblymember Pedro Nava
Assemblymember Ira Ruskin
Assemblymember Tim Leslie, Vice Chair
Assemblymember Shirley Horton

Housing and Community Development

I have reduced the membership of this committee from 9 to 7 members.

Assemblymember Gene Mullin, Chair
Assemblymember Joe Baca Jr.
Assemblymember Loni Hancock
Assemblymember Simón Salinas
Assemblymember Alberto Torrico
Assemblymember Bonnie Garcia, Vice Chair
Assemblymember Jay La Suer

Human Services

The membership of this committee remains the same with 7 members.

Assemblymember Noreen Evans, Chair
Assemblymember Juan Arambula
Assemblymember Karen Bass
Assemblymember Joe Coto
Assemblymember Joe Nation
Assemblymember Ray Haynes, Vice Chair
Assemblymember Todd Spitzer

Insurance

I have reduced the membership of this committee from 17 to 10 members.

Assemblymember Juan Vargas, Chair
Assemblymember Ron Calderon
Assemblymember Dario Frommer
Assemblymember Betty Karnette
Assemblymember Sally Lieber
Assemblymember Pedro Nava
Assemblymember Tom Umberg
Assemblymember John Benoit, Vice Chair
Assemblymember Russ Bogh
Assemblymember Dennis Mountjoy

Jobs, Economic Development and the Economy

I have reduced the membership of this committee from 9 to 6 members.

Assemblymember Juan Arambula, Chair
Assemblymember Joe Baca Jr.
Assemblymember Joe Canciamilla
Assemblymember Jenny Oropeza
Assemblymember Guy Houston, Vice Chair
Assemblymember Bonnie Garcia

Judiciary

I have reduced the membership of this committee from 11 to 9 members.

Assemblymember Dave Jones, Chair
Assemblymember Noreen Evans
Assemblymember John Laird
Assemblymember Lloyd Levine
Assemblymember Sally Lieber
Assemblymember Cindy Montañez
Assemblymember Tom Harman, Vice Chair
Assemblymember Ray Haynes
Assemblymember Tim Leslie

Labor and Employment

The membership of this committee remains the same with 8 members.

Assemblymember Paul Koretz, Chair
Assemblymember Wilma Chan
Assemblymember Judy Chu
Assemblymember Johan Klehs
Assemblymember John Laird
Assemblymember Mark Leno
Assemblymember Alan Nakanishi, Vice Chair
Assemblymember Guy Houston

Local Government

I have reduced the membership of this committee from 9 to 7 members.

Assemblymember Simón Salinas, Chair
Assemblymember Hector De La Torre
Assemblymember Sally Lieber
Assemblymember Joe Nation
Assemblymember Lois Wolk
Assemblymember Bill Emmerson, Vice Chair
Assemblymember Guy Houston

Natural Resources

I have reduced the membership of this committee from 11 to 10 members.

Assemblymember Loni Hancock, Chair
Assemblymember Mike Gordon
Assemblymember Paul Koretz
Assemblymember John Laird
Assemblymember Pedro Nava
Assemblymember Lori Saldaña
Assemblymember Lois Wolk
Assemblymember Doug La Malfa, Vice Chair
Assemblymember Tom Harman
Assemblymember Rick Keene

Public Employees, Retirement and Social Security

I have reduced the membership of this committee from 9 to 6 members.

Assemblymember Alberto Torrico, Chair
Assemblymember Dave Jones
Assemblymember Gene Mullin
Assemblymember Gloria Negrete McLeod
Assemblymember Sam Blakeslee, Vice Chair
Assemblymember Roger Niello

Public Safety

I have increased the membership of this committee from 6 to 7 members.

Assemblymember Mark Leno, Chair
Assemblymember Rebecca Cohn
Assemblymember Mervyn Dymally
Assemblymember Jackie Goldberg
Assemblymember Ira Ruskin
Assemblymember Jay La Suer, Vice Chair
Assemblymember Todd Spitzer

Revenue and Taxation

The membership of this committee remains the same with 7 members.

Assemblymember Johan Klehs, Chair
Assemblymember Joe Canciamilla
Assemblymember Judy Chu
Assemblymember Dave Jones
Assemblymember Sally Lieber
Assemblymember Mimi Walters, Vice Chair
Assemblymember Chuck DeVore

Transportation

The membership of this committee remains the same with 13 members.

Assemblymember Jenny Oropeza, Chair
Assemblymember Wilma Chan
Assemblymember Betty Karnette
Assemblymember Carol Liu
Assemblymember Fran Pavley
Assemblymember Mark Ridley-Thomas
Assemblymember Simón Salinas
Assemblymember Alberto Torrico
Assemblymember Bob Huff, Vice Chair
Assemblymember Russ Bogh
Assemblymember Shirley Horton
Assemblymember Dennis Mountjoy
Assemblymember Roger Niello

Utilities and Commerce

I have reduced the membership of this committee from 12 to 11 members.

Assemblymember Lloyd Levine, Chair
Assemblymember Joe Baca Jr.
Assemblymember Rebecca Cohn
Assemblymember Hector De La Torre
Assemblymember Jerome Horton
Assemblymember Cindy Montañez
Assemblymember Mark Ridley-Thomas
Assemblymember Russ Bogh, Vice Chair
Assemblymember Sam Blakeslee
Assemblymember Rick Keene
Assemblymember Mark Wyland

Veterans' Affairs

I have reduced the membership of this committee from 11 to 9 members.

Assemblymember Mike Gordon, Chair
Assemblymember Joe Canciamilla
Assemblymember Ed Chavez
Assemblymember Noreen Evans
Assemblymember Jenny Oropeza
Assemblymember Lori Saldaña
Assemblymember Chuck DeVore, Vice Chair
Assemblymember George Plescia
Assemblymember Sharon Runner

Water, Parks and Wildlife

I have reduced the membership of this committee from 16 to 13 members.

Assemblymember Lois Wolk, Chair
Assemblymember Joe Baca Jr.
Assemblymember Rudy Bermúdez
Assemblymember Mervyn Dymally
Assemblymember Barbara Matthews
Assemblymember Nicole Parra
Assemblymember Fran Pavley
Assemblymember Lori Saldaña
Assemblymember Michael Villines, Vice Chair
Assemblymember Lynn Daucher
Assemblymember Bill Emmerson
Assemblymember Bill Maze
Assemblymember Sharon Runner

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 6, 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 Alan Nakanishi to replace Assemblymember Dave Cogdill on the Joint Legislative Audit Committee for the committee's hearings on "The Secretary of State. Help America Vote Act of 2002" only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

January 6, 2004

The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol, Third Floor
Sacramento, California

The Honorable Kevin McCarthy
Assembly Republican Leader
State Capitol, Third Floor
Sacramento, California

Dear Speaker Núñez and Assemblyman McCarthy: After careful consideration, I write to inform you of my decision to recuse myself from Joint Legislative Audit Committee proceedings that involve the review and investigation of the practices of the Office of Secretary of State Kevin Shelley. I greatly appreciate my recent appointment to the committee but I think that it is in everyone's best interest that I not participate in these particular hearings. I would furthermore request that an appropriate replacement be made in my stead.

As you may know, my Capitol Director, Erin Muth Guerrero, is married to Willie Guerrero, who currently serves in the Office of the Secretary of State. I deeply care for and respect Erin and Willie as personal friends and dedicated public servants, and have for a long time now. I know that both Erin and Willie can and would conduct themselves in an exemplary manner, with integrity, probity, and discretion as the JLAC deliberations commence.

I am mindful, however, that even the most minor or remote public perception of a conflict of interest—stemming from Willie and Erin's marriage and my presence on the Joint Legislative Audit Committee during its upcoming hearings—could be misconstrued or even used to undermine confidence in the committee proceedings. It is my sincere desire to make a genuine contribution to a full and fair JLAC investigation. Although I know that I and every person in my office can and will conduct themselves properly at all times, I feel that an even higher standard is required.

Public confidence in the actions of their elected officials is vital every single day that a Member holds office. At a time when the Legislature conducts a formal investigation of a statewide elected official, not to mention a former Member of the Legislature, that standard is raised higher still. With these thoughts in mind, together with the singular goal

of a JLAC investigative process which may be viewed by all Californians as a model of fairness and objectivity, that I believe I must recuse myself from hearings pertaining to the Secretary of State.

I thank you both for the confidence and respect implicit in my appointment to the Joint Legislative Audit Committee, and I sincerely hope you understand that my request to be removed from the hearings involving the Secretary of State stems solely from my earnest desire to best serve the institution of the California State Assembly, the people of the state of California, and the 25th Assembly District that I am so honored and privileged to represent.

Respectfully,

DAVE COGDILL

Vice Chair, Assembly Committee on Rules
Assemblyman, 25th District

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Gordon, the Assembly adjourned until 12 noon, Monday, January 10, 2005, out of respect to the memory of Iris Chang, on motion of Assembly Members Chu and Lieber; out of respect to the memory of Betty Jean McCollum Padilla, on motion of Assembly Member Goldberg; out of respect to the memory of Benjamin Mark Braun, on motion of Assembly Member La Suer; out of respect to the memory of Shawn Fagen, on motion of Assembly Member Aghazarian; out of respect to the memory of Bill Stamps, on motion of Assembly Member Berg; out of respect to the memory of Dr. William Dickerson, on motion of Assembly Members Evans and Nation; out of respect to the memory of Douglas Pitter, on motion of Assembly Members Evans and Berg; out of respect to the memory of Joseph Hemingway and Rodney Glisan Kennedy-Minott, on motion of Assembly Member Laird; and out of respect to the memory of Sandra Rutherford Allen, Lucille E. Barry, Loren B. W. Frankel, Eldon R. Clauson, Raymond D. Kivley, Louise Preston Kelly, Anthony M. Agnello, Alexius Aiu, Wilfred Byrd, John James Cheechov, Mary Lynn Duff, Virginia Catherine Turner, Laina C. Boosembark, and Keith E. Gould, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 10, 2005

SIXTH SESSION DAY

THIRTY-SIXTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 10, 2005

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

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Frommer moved a quorum call of the Assembly.

Quorum Present

At 12:03 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	Laird	Richman
Arambula	Emmerson	Leno	Ridley-Thomas
Baca	Evans	Leslie	Ruskin
Bass	Frommer	Levine	Saldaña
Benoit	Garcia	Lieber	Salinas
Berg	Goldberg	Liu	Spitzer
Bermúdez	Gordon	Matthews	Strickland
Blakeslee	Hancock	Maze	Torrico
Bogh	Haynes	McCarthy	Tran
Calderon	Horton, Jerome	Montañez	Umberg
Canciamilla	Horton, Shirley	Mountjoy	Vargas
Chan	Houston	Mullin	Villines
Chavez	Huff	Nakanishi	Walters
Chu	Jones	Nation	Wolk
Cogdill	Karnette	Nava	Wyland
Cohn	Keene	Negrete McLeod	Yee
Coto	Klehs	Niello	Mr. Speaker
Daucher	Koretz	Parra	
De La Torre	La Malfa	Pavley	
DeVore	La Suer	Plescia	

PRAYER

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

Lord, Your righteousness endures forever, yet it is easy for us to seek false pursuits. How easy it is for us to pray for a winning lottery ticket, yet difficult to thank You for the joy You have already given us. Help us, Lord, to trust You in our life, to appreciate the abundance of blessings You provide. Keep us safe as we conduct the business set before us this day and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Runner.

On personal business, and waiving per diem: Assembly Member Harman.

Because of illness: Assembly Member Oropeza.

EXPLANATIONS OF ABSENCE

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

January 5, 2005

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

Dear Speaker Núñez: I am writing to request an excused absence for January 10, 2005. I will be in my district on legislative business, speaking at the BRAC Commission Meeting being held in Lancaster that day.

Should you have any questions regarding this request, please contact Aaron Bone in my office at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member
Thirty-sixth District

MESSAGES FROM THE SENATE

Senate Chamber, January 6, 2005

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

Senate Concurrent Resolution No. 3

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 3—Relative to Dr. Martin Luther King, Jr. Day.

COMMUNICATIONS

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

January 7, 2005

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

RE: Appointment of Wilma Chan and Greg Aghazarian to Health Care Quality Improvement and Cost Containment Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Wilma Chan and Assemblymember Greg Aghazarian to the Health Care Quality Improvement and Cost Containment Commission. This is a pleasure appointment starting January 7, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

PROPOSED INITIATIVES

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated January 4, 2005, transmitting copies of the title, summary, and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

**Public Schools. Restrictions on Sex-Related Instruction.
Initiative Statute. SA 2004RF0033**

Referred by the Speaker to the Committee on Education.

REPORTS

The following reports were presented by the Chief Clerk:

**2003–04 Consulting Services Contract Report
(Pursuant to Public Contract Code Section 10369)**

Above transmitted report, together with letter of transmittal from Ann Barsotti, Acting Director, Office of Stephen P. Teale Data Center, dated December 16, 2004, referred by the Speaker to the Committee on Business and Professions.

**Department of Corporations Continuation of Fee Reductions
(Pursuant to Senate Bill 742, Chapter 118, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Janice Lumsden, Acting Chief Deputy Commissioner, Department of Corporations, dated November 22, 2004, referred by the Speaker to the Committee on Budget.

**Findings of Pilot Program on
Civil Settlement Offers and Attorney Fees Conducted in
the Superior Court of Riverside County
(Pursuant to Code of Civil Procedure Section 1021.1)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated December 9, 2004, referred by the Speaker to the Committee on Judiciary.

**Report on Purchase and Lease of Recording Equipment by Superior Courts
(Pursuant to Senate Bill 1102, Chapter 227, 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 December 20, 2004, referred by the Speaker to the Committee on Budget.

**Annual Staff Report on the Management of State Schools Lands
Fiscal Year 2003–04 (Pursuant to Public Resources Code Section 6477)**

Above transmitted report, together with letter of transmittal from Paul D. Thayer, Executive Officer, California State Lands Commission, dated December 21, 2004, referred by the Speaker to the Committee on Natural Resources.

**2003 Status Report on the Pesticide Contamination Prevention Act
(Pursuant to Food and Agricultural Code Section 13144 (b))**

Above transmitted report, together with letter of transmittal from Paul Helliker, Director, Department of Pesticide Regulation, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**San Diego Consolidated Transportation Agency: Annual Report
(Pursuant to Senate Bill 1703, Chapter 743, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Hon. Mickey Cafagna, Chairman, SANDAG, Board of Directors, Mayor, City of Poway, San Diego Association of Governments (SANDAG), dated December 17, 2004, referred by the Speaker to the Committee on Transportation.

**Financial Statements for the Year Ended June 30, 2004 and
Independent Auditor's Report
(Pursuant to Government Code Section 20228)**

Above transmitted report, together with letter of transmittal from Sean Harrigan, President, Board of Administration, California Public Employees' Retirement System, dated December 29, 2004, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**2004 Report to the California Legislature
(Pursuant to Government Code Sections 14535–14536)**

Above transmitted report, together with letter of transmittal from Joseph Tavaglione, Chair, California Transportation Commission, dated January 3, 2005, referred by the Speaker to the Committee on Transportation.

**2002–03 Emergency Medical Services Fund (EMS) Report
(Pursuant to Health and Safety Code Section 1797.98a) from:**

Napa County, Health and Human Services, Molly Rattigan, Staff Services Analyst, dated December 30, 2004.

Referred by the Speaker to the Committee on Health.

**2003–04 Emergency Medical Services Fund (EMS) Report
(Pursuant to Health and Safety Code Section 1797.98a) from:**

Siskiyou County, Ann Cameron, Assistant Auditor Controller, dated December 21, 2004;

Alameda County, Health Care Services Agency, Ricardo E. Naval, Financial Services Specialist, Public Health Department, Budgets and Contracts, dated January 4, 2005.

Referred by the Speaker to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 10, 2005

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

Assembly Concurrent Resolution No. 4

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint Legislative Audit Committee, on Thursday, January 20, 2005, upon adjournment of Floor Session, in Room 4202.

REQUEST FOR PHOTOGRAPHER

Assembly Member Frommer was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 4 (Chu)—Relative to Korean-American Day.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 4**

Assembly Member Chu was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 4.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Chavez, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Garcia, Goldberg, Gordon, Hancock, Jerome Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Leno, Leslie, Levine, Lieber, Matthews, Maze, McCarthy, Mountjoy, Mullin, Nation, Nava, Negrete McLeod, Niello, Parra, Pavley, Plescia, Richman, Ruskin, Saldaña, Salinas, Strickland, Umberg, Vargas, Villines, Walters, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Chu was granted unanimous consent to take up Assembly Concurrent Resolution No. 4, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 4, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 4—Relative to Korean-American Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Senate Concurrent

Resolution No.

Committee

3 ----- Rls.

RECESS

By unanimous consent, at 12:16 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Chu introduced Steven Koh, President, Korean American Foundation, William P. Min, Vice President, Korean American Foundation, and Eunji Seo, Consul, Korean Consulate General of San Francisco.

Assembly Member Chu then presented a resolution to the Korean American Foundation.

RECONVENED

At 12:18 p.m., the Assembly reconvened.

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

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Montañez announced that the Committee on Rules would meet immediately, in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 12:19 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:

- Tuesday, January 11, 2005, Check-in Session, 7 a.m.–3 p.m.;
- Wednesday, January 12, 2005, Check-in Session, 7 a.m.–3 p.m.;
- Thursday, January 13, 2005, Check-in Session, 7 a.m.–3 p.m.;
- Friday, January 14, 2005, Floor Session, 9:30 a.m.

ADJOURN IN MEMORY

Assembly Member Cohn was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Madge Overhouse, of Los Gatos.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member De La Torre was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rosemary Kennedy, of Jefferson, Wisconsin.

(Assembly Rule 45.5 suspended.)

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 Makgatho Mandela, of South Africa.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Negrete McLeod was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cecilia Lowe-Venable, of San Bernardino.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY**Moment of Silence Observed**

Assembly Member Tran was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Henry Tran, of Stockton, and that the Assembly observed a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Prof. Martin Laudeau, of Berkeley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Howard Stevenson, of the Ceres Police Department.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joan Jane Klopp, of Arcata; Joyce Jane Ingebretsen, of Eureka; Brian King, of McKinleyville; and Joshua Cullen Heston, of Ukiah.

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Raymond Lewis, of Beaumont.

Assembly Member Shirley Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ernie Flores, Jr., of San Diego.

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 Shirley Mae Stotts, of Davis; Max E. Jones, of Dixon; Carol Jeanne Adkins, Frederic A. Glidden, Harry W. Lim, Shirley J. Locke, and Davis M. Venegas, of Fairfield; Esther May Campbell and Emilee J. Wilson, of Vacaville; and Maurice G. Philleo, of Woodland.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: January 10, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 3

With the recommendation: Be adopted.

MONTAÑEZ, Chair

SENATE CONCURRENT RESOLUTION NO. 3 TAKEN UP
BY UNANIMOUS CONSENT

Assembly Member Dymally was granted unanimous consent to take up Senate Concurrent Resolution No. 3, without reference to file.

SENATE CONCURRENT RESOLUTION NO. 3—Relative to Dr. Martin Luther King, Jr. Day.

Resolution read.

Members Made Coauthors of
Senate Concurrent Resolution No. 3

Assembly Member Dymally was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 3.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Emmerson, Evans, Frommer, Garcia, Goldberg, Gordon, Hancock, 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, Niello, Núñez, Parra, Pavley, Plescia, Richman, Ruskin, Saldaña, Salinas, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Dymally was granted unanimous consent to take up Senate Concurrent Resolution No. 3, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 3, as Amended

SENATE CONCURRENT RESOLUTION NO. 3—Relative to Dr. Martin Luther King, Jr. Day.

Resolution read, as amended, and adopted.

Resolution ordered transmitted to the Senate immediately.

MOTION TO ADJOURN

At 12:41 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:42 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

MESSAGES FROM THE GOVERNOR

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

Governor's Office, Sacramento
January 10, 2005

To the Senate and Assembly of the Legislature of California:

In a difficult fiscal environment, this balanced budget provides a 4.2 percent increase in General Fund spending over last year to protect essential programs like education and social services. It does not raise taxes on working families and businesses that create jobs. And, it lays the groundwork for fundamental budget reform that our state desperately needs.

Just one year ago, California was facing economic ruin. We were staring at a budget gap of more than \$14 billion and a cash crisis of \$14 billion in June that would have sent the state into bankruptcy.

We chose a different path. We joined together to take action and began turning around years of fiscal mismanagement. Republicans and Democrats put Propositions 57 and 58 before the people of California, who gave it their solid approval. And, Republicans and Democrats passed a budget that began to bring spending in line with revenues—without raising taxes.

Last year, we stopped the bleeding. This year, we must begin to heal the patient.

Because of our formula-driven system of budgeting, we face a budget gap of more than \$9 billion if we do nothing. The budget I send to you today will close that gap, and do so again without raising taxes.

But unless we act to fundamentally change the laws that put so much of our spending on automatic pilot, we will continue to face huge deficits—year after year after year. We must fix a budget system that is broken. We must change the way that state government spends the people's money. That is why budget reform is a critical part of the reform agenda I will ask you to approve in a Special Session.

The California recovery is underway, bringing with it more jobs and growing revenues. However, if we leave in place a budget system that forces us to spend more money than we take in, we will fail to solve one of the most critical problems the people of California sent us to Sacramento to fix—the state budget.

Last year, we worked as partners to begin to make change. I ask you to continue our partnership this year to make even greater progress for the people.

Therefore, in accordance with Article IV, Section 12 of the California Constitution, I submit to you the Governor's Budget for 2005–06.

Sincerely,

ARNOLD SCHWARZENEGGER

Accompanying CD-Rom of the Budget and Budget Summary ordered filed with the Secretary of State.

MESSAGES FROM THE SENATE

Senate Chamber, January 10, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 3

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

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 89—Jerome Horton. An act to add Division 1.7 (commencing with Section 1190) to the Health and Safety Code, and to add Chapter 17 (commencing with Section 12694) to Part 6.2 of Division 2 of the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 90—Laird. An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 91—Bogh and Garcia. An act to amend Section 148 of the Penal Code, relating to arrests.

ASSEMBLY BILL NO. 92—Leslie. An act to amend Section 9900 of the Government Code, relating to the Legislature.

ASSEMBLY BILL NO. 93—Jerome Horton. An act to amend Sections 60510 and 60511 of the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 94—Haynes. An act to add Section 11091.5 to the Government Code, relating to state agency finances.

ASSEMBLY BILL NO. 95—Koretz (Coauthors: Bass, Chan, Evans, and Pavley). An act to add Division 112 (commencing with Section 140000) to the Health and Safety Code, relating to prescription drugs.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, January 11, 2005, out of respect to the memory of Madge Overhouse, on motion of Assembly Member Cohn; out of respect to the memory of Rosemary Kennedy, on motion of Assembly Member De La Torre; out of respect to the memory of Makgatho Mandela, on motion of Assembly Member Koretz; out of respect to the memory of Cecilia Lowe-Venable, on motion of Assembly Member Negrete McLeod; out of respect to the memory of Dr. Henry Tran, on motion of Assembly Member Tran; out of respect to the memory of Prof. Martin Laudeau, on motion of Assembly Member Hancock; out of respect to the memory of Sgt. Howard Stevenson, on motion of Assembly Member Aghazarian; out of respect to the memory of Joan Jane Klopp, Joyce Jane Ingebretsen, Brian King, and Joshua Cullen Heston, on motion of Assembly Member Berg; out of respect to the memory of Raymond Lewis, on motion of Assembly Member Bogh; out of respect to the memory of Ernie Flores, Jr., on motion of Assembly Member Shirley Horton; and out of respect to the memory of Shirley Mae Stotts, Max E. Jones, Carol Jeanne Adkins, Frederic A. Glidden, Harry W. Lim, Shirley J. Locke, Davis M. Venegas, Esther May Campbell, Emilee J. Wilson, and Maurice G. Philleo, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 11, 2005

SEVENTH SESSION DAY

THIRTY-SEVENTH 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, January 11, 2005

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

At 1:58 p.m., Hon. Juan Vargas, 79th 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 Member Cogdill.

On personal business, and waiving per diem: Assembly Member Harman.

Because of illness: Assembly Member Oropeza.

Because of a death in his family: Assembly Member Tran.

EXPLANATIONS OF ABSENCE

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

January 11, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from check in session today, Tuesday, January 11, 2005. I attended a legislative meeting in my district and due to the inclement weather am unable to make it back to Sacramento to check in.

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

COMMUNICATIONS

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

January 10, 2005

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

Dear Speaker Núñez: The Senate Rules Committee has appointed the following Senate members to serve on the Joint Legislative Audit Committee: Senators Poochigian, V.Ch., Cedillo, McClintock, Morrow, Murray, Romero and Speier.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

REPORTS

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

California State Auditor

2004-010
December 2, 2004

The Governor of California
President pro Tempore of the Senate
Speaker of the Assembly
State Capitol
Sacramento, California

Dear Governor and Legislative Leaders: As required by Chapter 310, Statutes of 1995, the Bureau of State Audits presents its audit report concerning the Department of Transportation's (department) revenues and expenditures authorized by the Seismic Retrofit Bond Act of 1996 (Bond Act). This report concludes that the department has ensured that seismic retrofit projects funded with bond proceeds are consistent with

the purpose of the Bond Act. As of June 30, 2004, the department had spent \$1.93 billion of the \$2 billion authorized by the Bond Act. In addition, the department has nearly completed its reimbursement of the State Highway Account and the Consolidated Toll Bridge Fund for expenditures incurred during fiscal years 1994–95 and 1995–96 as required by the Bond Act. As of June 30, 2004, the department had reimbursed the two funding sources \$95.7 million of the \$114 million that is owed to them.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Transportation.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 96—Cohn (Principal coauthor: Senator Alquist). An act to amend Section 1203.097 of the Penal Code, relating to probation.

ASSEMBLY BILL NO. 97—Cohn. An act to amend Section 33128 of the Education Code, relating to school budget reserves.

ASSEMBLY BILL NO. 98—Cohn. An act to amend Sections 7582.2, 7583.12, 7583.37, 7597.1, and 7597.6 of the Business and Professions Code, to amend Sections 171b, 171.5, 626.9, 12001, 12026, 12026.1, 12026.2, 12027, 12027.1, 12031, 12034, 12073, 12078, 12316, and 12807 of, and to repeal and add Section 12025 of, the Penal Code, and to amend Section 10334 of the Public Contract Code, relating to firearms.

ASSEMBLY BILL NO. 99—Cohn (Principal coauthor: Senator Alquist). An act to amend Sections 6345 and 6361 of the Family Code, relating to protective orders.

ASSEMBLY BILL NO. 100—Cohn. An act to amend Section 977.2 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 101—Cohn. An act to amend Section 244.5 of, and to add Chapter 4.5 (commencing with Section 12430) of Title 2 of Part 4 to, the Penal Code, relating to tasers.

ASSEMBLY BILL NO. 102—Cohn (Principal coauthor: Senator Alquist). An act to add Section 6219.5 to, and to repeal and add Section 6219 of, the Family Code, relating to domestic violence.

ASSEMBLY BILL NO. 103—Cohn. An act to add Section 49404 to the Education Code, relating to school districts.

ASSEMBLY BILL NO. 104—Cohn (Principal coauthor: Senator Alquist). An act to add Section 6347 to the Family Code, relating to protective orders.

ASSEMBLY BILL NO. 105—Cohn. An act to add Article 2.5 (commencing with Section 110387.10) to Chapter 4 of Part 5 of Division 104 of the Health and Safety Code, relating to food labeling.

ASSEMBLY BILL NO. 106—Cohn (Principal coauthor: Senator Alquist). An act to add Section 1465.9 to the Penal Code, relating to battery.

ASSEMBLY BILL NO. 107—Benoit. An act to amend Section 11202 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 108—Houston. An act to add Section 6157.8 to the Business and Professions Code, relating to attorneys.

ASSEMBLY BILL NO. 109—Chan. An act to amend Sections 130140 and 130150 of, and to add Section 130151 to, the Health and Safety Code, relating to child development.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Koretz. Relative to Financial Literacy Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 7—Runner and McCarthy (Principal coauthor: Senator Runner). Relative to space travel.

AUTHOR'S AMENDMENTS
Committee on Public Safety

January 11, 2005

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

Assembly Bill No. 35

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

LENO, Chair

ASSEMBLY BILL NO. 35—An act to amend Section 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.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 12, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 11, 2005**

The following measure was amended in the Assembly on this day:

AB RN

35 0501329

Daily Total: 1

Cumulative Total: 1

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 12, 2005
EIGHTH SESSION DAY
THIRTY-EIGHTH 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
Wednesday, January 12, 2005

The Assembly met at 7 a.m.
Hon. Barbara Matthews, Assembly Member, 17th District,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—68:

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

Quorum present.

**At 1:12 p.m., Assistant Speaker pro Tempore Sally Lieber,
22nd 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 Gordon, Houston, Nava, Oropeza, Richman, and Vargas.

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

On personal business, and waiving per diem: Assembly Members Harman and Strickland.

Because of illness: Assembly Members Cohn and Núñez.

Because of a death in his family: Assembly Member Tran.

EXPLANATIONS OF ABSENCE

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

January 10, 2005

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

Dear Mr. Speaker: I respectfully request an excuse for Check-In Session on January 12, 2005, 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

January 11, 2005

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

Dear Speaker Núñez: I respectfully request permission to be excused from Check-in Session on Wednesday, January 12, due to legislative business in my district.

If you have any questions regarding this request, please contact George Wiley in my Capitol office.

Sincerely,

MIKE GORDON, Assembly Member
Fifty-third District

January 11, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session on Wednesday, January 12, 2005 due to legislative meetings in my district.

If you have any questions, please contact Carole Weiner in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

January 11, 2005

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

Dear Speaker Núñez: I would like to request approval to be excused from check-in session on Wednesday, January 12, 2005, and to be excused from check-in session on Thursday, January 13, 2005, due to legislative business in the district. Thank you for your prompt attention to this matter.

Sincerely,

PEDRO NAVA, Assembly Member
Thirty-fifth District

January 11, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Session, Wednesday, January 12, 2005, 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

January 12, 2005

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

Dear Speaker Núñez: I respectfully request that I be excused from attending session January 12, 2005, to attend to legislative business in my district and return on Tuesday morning, January 18, 2005 for legislative session.

Thank you for your consideration in this matter. If you should have any questions, please call Connie in my capitol office any time at 916-319-2038.

Sincerely,

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

January 11, 2005

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

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly session and all legislative matters scheduled for January 12–13, 2005. I will be conducting legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JUAN VARGAS, Assembly Member
Seventy-ninth District

COMMUNICATIONS

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

January 12, 2005

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

RE: Appointment of Mike Gordon
to Milton Marks “Little Hoover” Commission
on California State Government Organization and Economy

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Mike Gordon to the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy. This is a pleasure appointment starting January 12, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 35

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:
ASSEMBLY BILL NO. 110—Ruskin. An act relating to public education.

ASSEMBLY BILL NO. 111—Koretz. An act to amend Section 23399 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 112—Cohn (Principal coauthor: Senator Alquist). An act to add Section 6347 to the Family Code, relating to protective orders.

ASSEMBLY BILL NO. 113—Cohn (Principal coauthor: Senator Alquist). An act to amend Section 3003 of the Penal Code, relating to parole.

ASSEMBLY BILL NO. 114—Cohn (Principal coauthor: Senator Alquist). An act to amend Section 1109 of the Evidence Code, relating to admissibility of evidence.

ASSEMBLY BILL NO. 115—Klehs. An act to amend Sections 17144 and 24307 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 116—Shirley Horton. An act to amend Section 124030 of the Health and Safety Code, relating to child health and disability prevention.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Thursday, January 13, 2005.

LELAND Y. YEE, Speaker pro Tempore

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 13, 2005

NINTH SESSION DAY

THIRTY-NINTH 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
Thursday, January 13, 2005

The Assembly met at 7 a.m.

Hon. Lynn Daucher, Assembly Member, 72nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—65:

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

Quorum present.

At 1:05 p.m., Hon. Paul Koretz, 42nd 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 Calderon, Chan, Chu, Cogdill, Frommer, Gordon, Harman, Ridley-Thomas, Torrico, Vargas, Wyland, and Yee.

On personal business, and waiving per diem: Assembly Members Lieber and Strickland.

Because of a death in his family: Assembly Member Tran.

EXPLANATIONS OF ABSENCE

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

January 5, 2005

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

Dear Mr. Speaker: I am writing today to request to be excused from Session on Thursday, January 13, 2005 and Friday, January 14, 2005 to attend 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

January 10, 2005

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

Dear Speaker Núñez: I am requesting to be excused from Check-In Session on Thursday, January 13, 2005 due to legislative business taking place in my district.

Thank you for your attention to this matter.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

January 5, 2005

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

Dear Speaker Núñez: I, respectfully, request to be excused from Check-In Session on Thursday, January 13, 2005, 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 my chief of staff, Bill Wong or me at 916/319-2049.

Kind regards,

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

January 11, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Thursday, January 13, 2005. I will be in my district on legislative business. In the event that session is called, I can be in Sacramento well within the designated period of time.

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

January 12, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session on January 13, 2005, to attend meetings in my District Office.

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

January 12, 2005

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

Dear Speaker Núñez: I respectfully request permission to be excused from Check-In Session on Thursday, January 13, due to legislative business in my district.

If you have any questions regarding this request, please contact George Wiley in my Capitol office.

Sincerely,

MIKE GORDON, Assembly Member
Fifty-third District

January 6, 2005

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

Dear Mr. Speaker,

I respectfully request to be excused of my legislative duties on Thursday, January 13th and Friday, January 14th on legislative business so that I may attend the National Conference of Legislators from Gaming States (NCLGS) conference in Duck Key, Florida.

Should you have any questions or concerns, please do not hesitate to contact Tiffany Conklin in my Capitol Office. Thank you for your consideration.

Very truly yours,

TOM HARMAN, Assembly Member
Sixty-seventh District

January 4, 2005

*The Honorable Fabian Núñez
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 Thursday, January 13 and Floor Session on Friday, January 14th. 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

January 10, 2005

Session Excuse Request

Office of Assembly Speaker Fabian Núñez

Please excuse me from check-in session on Thursday, January 13, 2005. I will be conducting legislative business in my district.

Thank you,

ALBERTO TORRICO, Assembly Member
Twentieth District

January 13, 2005

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

Dear Mr. Speaker: The purpose of this letter is to notify you that, although I was present in the Capitol today, I neglected to check-in as required—please excuse me on legislative business.

Thank you for your consideration.

Very truly yours,

MARK WYLAND, Assembly Member
 Seventy-fourth District

January 11, 2005

The Honorable Fabian Núñez
California State Assembly
Room 219, State Capitol
Sacramento, California

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Thursday January 13. I will be in my district during this time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
 Speaker pro Tempore

(NOTE: For letter explaining the absence of Assembly Member Vargas on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 12, 2005.)

REPORTS

The following reports were presented by the Chief Clerk:

**2004–05 First Quarter Monthly Status and Oversight Reports
 for the California Developmental Disabilities Information System
 (CADDIS) Project
 (Pursuant to Senate Bill 1113, Chapter 208, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated October 26, 2004, referred by the Speaker to the Committee on Budget.

**Litigation Deposit Fund—Quarterly Report
 Ending September 30, 2004
 (Pursuant to Government Code Section 16427(f))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated November 16, 2004, referred by the Speaker to the Committee on Budget.

**2003–04 Consulting Contract Report
 (Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from David M. Carlisle, M.D., Ph.D., Director, Office of Statewide Health Planning and Development, dated December 2, 2004, referred by the Speaker to the Committee on Business and Professions.

**21st Century Community Learning Centers Awards Reports
(Pursuant to Senate Bill 1113, Chapter 208, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated January 3, 2005, referred by the Speaker to the Committee on Budget.

**Department of General Services
Reports on Its Intent to Augment the 2004–05 Budget
(Pursuant to 2004 Budget Act, Item 1760-001-0666)**

Above transmitted reports, together with letters of transmittal from Ron Joseph, Director, Department of General Services dated December 7, 2004, December 21, 2004, and December 28, 2004, referred by the Speaker to the Committee on Budget.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 117—Cohn. An act to add Section 14133.06 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 118—Cohn (Principal coauthor: Senator Alquist). An act to amend Section 6320 of the Family Code, relating to protective orders.

ASSEMBLY BILL NO. 119—Cohn. An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 120—Cohn (Principal coauthor: Senator Alquist). An act to add Section 6219.5 to the Family Code, relating to domestic violence.

ASSEMBLY BILL NO. 121—Vargas. An act to add Chapter 5.5 (commencing with Section 105320) to Part 5 of Division 103 of the Health and Safety Code, relating to lead contamination of candy.

ASSEMBLY BILL NO. 122—Spitzer. An act to amend Section 1597.531 of, and to add Section 1596.794 to, the Health and Safety Code, relating to child day care.

ASSEMBLY BILL NO. 123—Dymally. An act to amend Section 41511 of the Education Code, relating to school safety, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 124—Dymally. An act to amend Sections 19790, 19791, 19792, 19792.5, 19793, 19794, 19795, 19796, 19797, and 19798 of, and to amend the heading of Chapter 12 (commencing with Section 19790) of Part 2 of Division 5 of Title 2 of, the Government Code, relating to state civil service.

ASSEMBLY BILL NO. 125—Dymally. An act to amend Sections 11351, 11353.6, 11369, 11370, 11370.2, 11370.4, 11372, 11372.5, 11470, 11470.4, 11488, 11571.1, and 11590 of, and to repeal Section 11351.5 of, the Health and Safety Code, and to amend Sections 629.52, 999e, 1174.4, 1203.07, 1203.073, 6243, and 12022 of the Penal Code, relating to controlled substances.

ASSEMBLY BILL NO. 126—Dymally. An act to amend Section 1442.5 of, and to add Section 1442 to, the Health and Safety Code, relating to county hospitals.

ASSEMBLY BILL NO. 127—Committee on Budget (Laird (Chair), Arambula, Bermudez, Chan, Coto, De La Torre, Dymally, Evans, Goldberg, Hancock, Montanez, Mullin, Nava, Parra, Pavley, and Wolk). An act relating to the Budget Act of 2005.

ASSEMBLY BILL NO. 128—Committee on Budget (Laird (Chair), Arambula, Bermudez, Chan, Coto, De La Torre, Dymally, Evans, Goldberg, Hancock, Montanez, Mullin, Nava, Parra, Pavley, and Wolk). An act relating to the Budget Act of 2005.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Judiciary, on Tuesday, January 18, 2005, upon adjournment of Floor session, in the Tom Bane Rules Committee Room;

Aging and Long-Term Care to convene jointly with the Committee on Judiciary, on Friday, January 21, 2005, in Los Angeles and on Wednesday, February 4, 2005, in San Francisco;

Labor and Employment, on Wednesday, January 26, 2005, at 1 p.m.

AUTHOR'S AMENDMENTS
Committee on Judiciary

January 13, 2005

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

Assembly Joint Resolution No. 3

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

JONES, Chair

ASSEMBLY JOINT RESOLUTION NO. 3—Relative to the 32nd anniversary of Roe v. Wade.

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

ADJOURNMENT

At 4 p.m., the Assembly adjourned until 9:30 a.m., Friday, January 14, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

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

The following measure was amended in the Assembly on this day:

AJR RN

3 0502419

Daily Total: 1

Cumulative Total: 2

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, January 14, 2005

TENTH SESSION DAY

FORTIETH 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, January 14, 2005

The Assembly met at 9:30 a.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 Mountjoy moved a quorum call of the Assembly.
Motion carried. Time, 9:31 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:34 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—56:

Aghazarian	De La Torre	Klehs	Nation
Arambula	Dymally	Koretz	Nava
Baca	Evans	La Malfa	Niello
Benoit	Garcia	La Suer	Oropeza
Berg	Gordon	Laird	Pavley
Bermúdez	Hancock	Leno	Runner
Blakeslee	Haynes	Leslie	Ruskin
Canciamilla	Horton, Jerome	Lieber	Saldaña
Chan	Horton, Shirley	Liu	Torrigo
Chavez	Houston	Matthews	Umberg
Chu	Huff	McCarthy	Villines
Cogdill	Jones	Mountjoy	Walters
Cohn	Karnette	Mullin	Wolk
Coto	Keene	Nakanishi	Yee

PRAYER

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

O Lord, You bless all those who obey You. Your love protects us like a shield. We encounter people every day whose words are flattering and smooth, but not always sincere. So we ask this day, Lord, that You protect us against deceitful words and deeds. Bring us into Your presence, for we find safety in You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member 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:

On legislative business: Assembly Members Bass, Bogh, Calderon, DeVore, Frommer, Goldberg, Harman, Levine, Maze, Montañez, Negrete McLeod, Núñez, Parra, Plescia, Richman, Ridley-Thomas, Salinas, Spitzer, Vargas, and Wyland.

On personal business, and waiving per diem: Assembly Members Emmerson and Strickland.

Because of illness: Assembly Member Daucher.

Because of a death in his family: Assembly Member Tran.

EXPLANATIONS OF ABSENCE

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

January 11, 2005

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

Dear Speaker Núñez: Please grant me a waiver from session on January 14, 2005. I will be in my district conducting legislative business.

If you have any question regarding this request, please contact my Chief of Staff, Notice Edwards at 319-2047.

Sincerely,

KAREN BASS, Assembly Member
Forty-seventh District

January 10, 2005

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

Dear Assembly Speaker Núñez,

This letter is a request to be excused from Session on Friday, January 14, 2005 for legislative business.

Thank you for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
 Sixty-fifth District

January 6, 2005

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

Dear Mr. Speaker: I respectfully request authorization to be absent from session on Friday, January 14th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

CHUCK DE VORE, Assembly Member
 Seventieth District

January 13, 2005

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

Dear Mr. Speaker: I respectfully request an excuse for Session on January 14, 2005, to attend meetings in my District Office.

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

January 4, 2005

Speaker Fabian Núñez
State Capitol
Sacramento, California

Dear Mr. Speaker: This letter is to request permission to be excused from session on Friday, January 14, 2005. I will be attending a Groundbreaking event in my district.

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

Sincerely,

JACKIE GOLDBERG, Assembly Member
 Forty-fifth District

January 10, 2005

Assemblyman Fabian Núñez
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Floor Session Friday, January 14th, for business purposes in my district.

Thank you for your consideration of this request.

Sincerely,

LLOYD E. LEVINE, Assembly Member
Fortieth District

January 11, 2005

Speaker Fabian Núñez
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez,

I respectfully request your permission to be excused from Regular Session on Friday, January 14, 2005 to travel to Inyo County on District business. As you know, because of the remote aspects of various parts of my district with no serviceable commercial airports, driving is required.

Because of inclement winter weather, the Northern route to Death Valley is not viable. Driving from Sacramento represents approximately a 10-hour journey.

Please contact my office with any questions. Thank you in advance for your consideration of my request.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

January 12, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from floor session on Friday, January 14, 2005. 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

January 5, 2005

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

Dear Mr. Speaker: I respectfully request permission to travel to my district after check in session Thursday, January 13, 2005 and be excused from Floor session on Friday, January 14, 2005 due to district commitments.

Thank you in advance for your consideration of this request.

Respectfully,

GLORIA NEGRETE MCLEOD, Assembly Member
 Sixty-first District

January 14, 2005

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

Dear Dotson: This is to advise you that I will be in my district today on legislative business.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

January 10, 2005

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

Dear Speaker Núñez: Due to urgent legislative business in the district, I respectfully request permission to miss Floor Session on Friday, January 14, 2005.

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

Sincerely,

NICOLE M. PARRA, Assembly Member
 Thirtieth District

January 12, 2005

Hon. Fabian Núñez
Speaker of the Assembly
State Capitol
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on January 14, 2005. I have legislative business in my district.

If you have any questions regarding this request, please feel free to contact Beth Helmsin in my office at 319-2075.

Sincerely,

GEORGE A. PLESCIA, Assembly Member
 Seventy-fifth District

January 10, 2005

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

Dear Mr. Speaker: I am writing to respectfully request to be excused on legislative business from Session on Friday, January 14, 2005.

If you have any questions about this request, please feel free to contact Jalene Romo in my Capitol Office.

Sincerely,

SIMÓN SALINAS, Assembly Member
Twenty-eighth District

January 7, 2005

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

Dear Mr. Speaker: I would like to be excused from session on Friday, January 14, 2005 for legislative business in the district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

January 3, 2005

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

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly session and all legislative matters scheduled in Sacramento for Friday, January 14, 2005. I will be conducting legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JUAN VARGAS, Assembly Member
Seventy-ninth District

January 14, 2005

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Floor Session on Friday January 14, 2005, due to legislative business.

Thank you for your prompt attention to this request.

Sincerely,

MARK WYLAND, Assembly Member
Seventy-fourth District

(NOTE: For letters explaining the absences of Assembly Members Calderon, Harman, and Ridley-Thomas on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 13, 2005; for letter explaining the absence of Assembly Member Richman on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 12, 2005.)

COMMUNICATIONS

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

January 14, 2005

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

Dear Dotson: Attached please find the Schedule of Assembly Standing and Subcommittees for the 2005–06 Regular Session.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

**SCHEDULE OF 2005–06
ASSEMBLY STANDING COMMITTEE MEETINGS**

MONDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
4:00 p.m.**	444.....	Banking and Finance
9:00 a.m.*	4202.....	Education
1:30 p.m.*	447.....	Natural Resources
1:30 p.m.*	126.....	Revenue and Taxation
! *	3162.....	Rules
1:30 p.m.*	4202.....	Transportation
3:00 p.m.*	437.....	Utilities and Commerce

TUESDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
2:00 p.m.**	127.....	Aging and Long-Term Care
9:00 a.m.**	437.....	Arts, Entertainment, Sports, Tourism and Internet Media
9:00 a.m.**	447.....	Business and Professions
1:30 p.m.*	444.....	Elections and Redistricting

1:30 p.m.***	444	Environmental Safety and Toxic Materials
1:30 p.m.*	4202	Health
1:30 p.m.**	437	Higher Education
1:30 p.m.***	437	Human Services
9:00 a.m.**	447	Jobs, Economic Development, and the Economy
9:00 a.m.*	4202	Judiciary
9:00 a.m.*	126	Public Safety
4:00 p.m.***	126	Veterans Affairs
9:00 a.m.***	437	Water, Parks and Wildlife

WEDNESDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
1:30 p.m.***	4202	Agriculture
9:00 a.m.*	4202	Appropriations
!	4202	Budget
1:30 p.m.**	4202	Governmental Organization
9:00 a.m.***	126	Housing and Community Development
9:00 a.m.*	437	Insurance
1:30 p.m.**	447	Labor and Employment
1:30 p.m.***	126	Local Government
9:00 a.m.**	444	Public Employees, Retirement and Social Security

* Meets every week.

** Meets 1st and 3rd week of month as called at time indicated.

*** Meets 2nd and 4th week of the month as called at time indicated.

! Upon call of the Chair.

SCHEDULE OF 2005-06 SUBCOMMITTEES

BUDGET

MONDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
4:00 p.m.*	127	Subcommittee No. 1—Health and Human Services

TUESDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
10:00 a.m.*	444	Subcommittee No. 2—Education Finance
1:30 p.m.*	447	Subcommittee No. 4—State Administration

WEDNESDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
1:30 p.m.*	444	Subcommittee No. 1—Health and Human Services
4:00 p.m.*	126	Subcommittee No. 2—Education Finance
8:30 a.m.*	127	Subcommittee No. 3—Resources

1:30 p.m.*.....	437.....	Subcommittee No. 4—State Administration
4:00 p.m.*.....	127.....	Subcommittee No. 5—Information Technology/Transportation

* Meets every week.

*** Meets 2nd and 4th week of the month as called at time indicated.

COMMUNICATIONS

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

January 12, 2005

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

Dear Speaker Núñez: The Senate Rules Committee has appointed the following Senate members to serve on the Joint Rules Committee:

Senators Battin, V. Ch., Ashburn, Bowen, Cedillo, Dunn, Escutia, Murray, Ortiz, Perata, Pochigian and Romero.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

SPECIAL COMMITTEE MEETINGS

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

Public Safety, on Tuesday, February 8, 2005, at 10 a.m., in Room 126.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 14, 2005

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

Assembly Joint Resolution No. 3

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

ANNOUNCEMENTS

Speaker pro Tempore Yee announced that today is Francesca Vega's last day as the Assistant File Clerk.

ADJOURN IN MEMORY

Moment of Silence Observed

Assembly Members La Suer, Baca, Bermúdez and Mountjoy were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Correctional Officer Manuel A. Gonzalez Jr., of Whittier, and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Keene was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced Rosie Keene.

ADJOURN IN MEMORY

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dennis James Conrad, of Fair Oaks.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald M. Carter and Robert Sherrill, of El Segundo.

Assembly Member Shirley Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Emma Doris Foster, of San Diego.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Harding B. Eklund, of San Rafael.

Assembly Member Nava was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael "Tony" Alvis, Vanessa Joy Bryson, Christina Kennedy, John Murry Morgan, Patrick Meryl Rodreick, Hannah Jade Wallet, Mechelle Van Wallet, Paloma Julie Wallet, Raven Violet Wallet, and Charles Womack, of La Conchita.

Assembly Member Umberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Elizabeth Rowan Keller, of Fullerton.

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 Richard Body, of La Habra.

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 Mary A. Duncan, Patricia C. Loomis, Ruth C. Loomis, Lillian Evelyn Poirier, William Saur, and Thelma G. Winters, of Davis; Joe M. Brown, of Dixon; Ernest Coleman Fields, and Archie L. Jefferson, of Fairfield; Jason R. Null, of Sacramento; Robert John Greve, and Annie M. Williams, of Vacaville; Carolyn Mary Williams, of Winters; Ruth A. May and Sandra Lee Voelz, of Woodland.

MOTION TO ADJOURN

At 9:53 a.m., Assembly Member Cohn moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Bermúdez and Mountjoy were granted unanimous consent to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Cohn that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:57 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 157—Levine. An act to amend Section 244.5 of, and to add Section 12025.1 to, the Penal Code, relating to tasers.

ASSEMBLY BILL NO. 158—Bermúdez. An act to amend Sections 2035, 2102, 2107, 2119, 2154, 2155, and 2187 of the Elections Code, relating to voter registration.

ASSEMBLY BILL NO. 159—Salinas. An act to amend Section 21100 of the Water Code, relating to water.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 8—Dymally. Relative to Elder and Dependent Adult Abuse Awareness Month.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Cohn, the Assembly adjourned until 11 a.m., Tuesday, January 18, 2005, out of respect to the memory of Correctional Officer Manuel A. Gonzalez Jr., on motion of Assembly Members La Suer, Baca, Bermúdez and Mountjoy; out of respect to the memory of Dennis James Conrad, on motion of Assembly Member Niello; out of respect to the memory of Donald M. Carter and Robert Sherrill, on motion of Assembly Member Gordon; out of respect to the memory of Emma Doris Foster, on motion of Assembly Member Shirley Horton; out of respect to the memory of Harding B. Eklund, on motion of Assembly Member Nation; out of respect to the memory of Michael “Tony” Alvis, Vanessa Joy Bryson, Christina Kennedy, John Murry Morgan, Patrick Meryl Rodreick, Hannah Jade Wallet, Mechelle Van Wallet, Paloma Julie Wallet, Raven Violet Wallet, and Charles Womack, on motion of Assembly Member Nava; out of respect to the memory of Mary Elizabeth Rowan Keller, on motion of Assembly Member Umberg; out of respect to the memory of Richard Body, on motion of Assembly Member Villines; and out of respect to the memory of Mary A. Duncan, Patricia C. Loomis, Ruth C. Loomis, Lillian Evelyn Poirier, William Saur, Thelma G. Winters, Joe M. Brown, Ernest Coleman Fields, Archie L. Jefferson, Jason R. Null, Robert John Greve, Annie M. Williams, Carolyn Mary Williams, Ruth A. May, and Sandra Lee Voelz, on motion of Assembly Member Wolk.

LELAND Y. YEE, Speaker pro Tempore

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 18, 2005
ELEVENTH SESSION DAY
FORTY-FOURTH 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, January 18, 2005

The Assembly met at 11 a.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 Gordon moved a quorum call of the Assembly.
Motion carried. Time, 11:01 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 11:02 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—69:

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

PRAYER

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

Lord, You are a righteous judge and You judge our thoughts and desires. Lord, bring together all people around You and rule over them from above. Protect us against all evil and save those who obey You. Lord, we thank You for Your justice and we sing praises to You, the Most High God.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Bermúdez and Nation.

On personal business, and waiving per diem: Assembly Members La Suer, Maze, McCarthy, Niello, Runner, and Walters.

To attend a funeral in the district: Assembly Members Aghazarian and Bogh.

Because of illness: Assembly Member Jerome E. Horton.

EXPLANATIONS OF ABSENCE

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

January 12, 2005

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

Dear Mr. Speaker: This letter is to respectfully request your approval to be excused from Floor Session on Tuesday, January 18, 2005, for legislative business in my district.

Your favorable consideration in this matter would be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

RUDY BERMÚDEZ, Assembly Member
Fifty-sixth District

January 6, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Legislative Floor Session on Tuesday, January 18, 2005 due to legislative business in my district. Please contact Jim DeBoo, my Chief of Staff with any questions.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

COMMUNICATIONS

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

January 18, 2005

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

Dear Dotson: This is to advise you that I appointed Assemblymember Lloyd Levine to replace Assemblymember Joe Coto on the Assembly Rules Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

Bill No.

Committee

- 14 ----- H. & C.D. and L. Gov.
- 64 ----- Pub. S.
- 67 ----- U. & C. and Jud.
- 69 ----- Jud.
- 70 ----- Trans.
- 71 ----- Health
- 72 ----- Health and Jud.
- 73 ----- Health and B. & P.
- 74 ----- Health and B. & P.
- 75 ----- Health and B. & P.
- 76 ----- Health and B. & P.
- 77 ----- Pub. S. and Health
- 78 ----- Health and B. & P.
- 80 ----- Rev. & Tax.
- 82 ----- Ins.
- 85 ----- Agri.
- 86 ----- Pub. S.
- 87 ----- W.,P. & W.
- 88 ----- Pub. S.

*Assembly Concurrent**Resolution No.**Committee*

5 ----- Trans.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint Legislative Audit Committee, on Monday, January 24, 2005, at 3 p.m., in Room 4202;

Joint Legislative Audit Committee, on Thursday, February 3, 2005, upon adjournment of Floor Session in Room 4202;

Jobs, Economic Development and the Economy, on Wednesday, February 9, 2005.

REPORTS

The following reports were presented by the Chief Clerk:

**Concealable Firearms Charges in California 2000–2003
(Pursuant to Penal Code Sections 12025 and 12031)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated January 3, 2005, referred by the Speaker to the Committee on Public Safety.

**Kapiloff Land Bank Report
(Pursuant to Public Resources Code Section 8618)**

Above transmitted report, together with letter of transmittal from Paul D. Thayer, Executive Officer, California State Lands Commission, dated January 4, 2005, referred by the Speaker to the Committee on Natural Resources.

**Report to the Legislature: Approved Mandated Claims
October 1, 2004 through December 31, 2004
(Pursuant to Government Code Section 17600)**

Above transmitted report, together with letter of transmittal from Paula Higashi, Executive Director, Commission on State Mandates, dated January 3, 2005, referred by the Speaker to the Committee on Appropriations.

**Report to the Legislature: Denied Mandate Claims
January 1, 2004 through December 31, 2004
(Pursuant to Government Code Section 17601)**

Above transmitted report, together with letter of transmittal from Paula Higashi, Executive Director, Commission on State Mandates, dated January 6, 2005, referred by the Speaker to the Committee on Appropriations.

**Plan for the Closure of Agnews Developmental Center
(Pursuant to Welfare and Institutions Code, Section 4474.1)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated January 10, 2005, referred by the Speaker to the Committee on Human Services.

**Flood Warnings: Responding to California's Flood Crisis
(Pursuant to Supplemental Report of the 2004 Budget Act
Item 3860-001-001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated January 10, 2005, referred by the Speaker to the Committee on Budget.

**2004 Report on the Safe at Home Confidential Address Program
(Pursuant to Government Code Section 6210)**

Above transmitted report, together with letter of transmittal from Kevin Shelley, Secretary of State, dated January 10, 2005, referred by the Speaker to the Committee on Public Safety.

**Seismic Safety Retrofit Report—Second Quarter—
2003–04 Fiscal Year Report for Period Ending December 31, 2003
(Pursuant to Government Code Section 9795)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated January 6, 2005, referred by the Speaker to the Committee on Transportation.

**Toll Bridge Seismic Safety Retrofit Report—
Third Quarter—2004 Fiscal Year
Report for the Period Ending September 30, 2004
(Pursuant to Government Code Section 9795)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated January 6, 2005, referred by the Speaker to the Committee on Transportation.

**Seismic Safety Retrofit Program Report—
Third Quarter—2004 Fiscal Year
Report for the Period Ending September 30, 2004 (Non-toll bridges)
(Pursuant to Government Code Section 9795)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated January 6, 2005, referred by the Speaker to the Committee on Transportation.

**2003–04 Report of Classes Approved for Membership in
the State Safety Membership Category
(Pursuant to Government Code Sections 19816.20 and 20405.1)**

Above transmitted report, together with letter of transmittal from Michael T. Navarro, Director, Department of Personnel Administration, dated January 10, 2005, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Report to the Legislature on the Regulation of Advertising for
the Purpose of Limiting Exposure of Children to
Materials Promoting Gambling
(Pursuant to Assembly Bill 2431, Chapter 738, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Dean Shelton, Chairman, Gambling Control Commission, dated January 11, 2005, referred by the Speaker to the Committee on Governmental Organization.

**Expenditure Plan: Agnews Transition
(Pursuant to Senate Bill 1113, Chapter 208, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated January 11, 2005, referred by the Speaker to the Committee on Budget.

**2003–04 Disabled Veteran Business Enterprise (DVBE)
Contracting Activity Reports, and/or Race, Ethnicity, and
Gender Business Ownership Reports (WBME)
(Pursuant to Public Contract Code Sections 10115.5, 10116 or
Government Code Section 1139.8) from:**

Department of Corrections, J.S. Woodford, Director, dated December 14, 2004;

Commission on Teacher Credentialing, Crista Hill, Manager, Fiscal and Business Services Section, dated December 16, 2004;

State Treasurer, Carrie Cornwell, Deputy Treasurer, dated December 17, 2004;

Department of Rehabilitation, Catherine Campisi, Ph.D., Director, dated December 20, 2004.

Referred by the Speaker to the Committee on Jobs, Economic Development and the Economy.

**2003–2004 Disabled Veterans Business Enterprise (DVBE)
Contracting Activity Reports
(Pursuant to Public Resources Code Section 10115.5 and
Military and Veterans Code Section 999.7) from:**

Commission on State Mandates, Paula Higashi, Executive Director, dated December 31, 2004;

Department of Veterans Affairs, Thomas Johnson, FACHE, Secretary, dated December 31, 2004;

Commission on Teacher Credentialing, Crista Hill, Manager, Fiscal and Business Services Section, dated January 3, 2005;

Commission on Peace Officer Standards and Training, Thomas S. Liddicoat, Bureau Chief, dated January 6, 2005;

California Public Employee's Retirement System (CalPERS), Fred Buenrostro, Chief Executive Officer.

Referred by the Speaker to the Committee on Veterans Affairs.

**AUTHOR'S AMENDMENTS
Committee on Rules**

January 18, 2005

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

Assembly Joint Resolution No. 1

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

MONTAÑEZ, Chair

ASSEMBLY JOINT RESOLUTION NO. 1—Relative to commemorative stamps.

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

REQUEST FOR PHOTOGRAPHER

Assembly Member Pavley was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Calderon 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.

COMMITTEE MEETING ANNOUNCEMENTS

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

ADJOURN IN MEMORY

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Muff Singer, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Melvin A. St. John Jr., of Thousand Oaks.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 11:15 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Pavley introduced The Honourable Jean-C. Lapierre, Minister of Transport Riding and The Honourable Stephane Dion, Minister of the Environment representatives of a delegation from Canada.

RECONVENED

At 11:16 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joan Bonanno, of South San Francisco.

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carol E. Hinshaw, of Tarzana.

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 Eleanor J. Paratore, of Davis; Robert Scadden, of Winters; Samuel Everett Rimoldi, of Woodland; and William L. Glover, of Vacaville.

MOTION TO ADJOURN

At 11:16 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:16 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: January 18, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 3

With the recommendation: Be adopted.

JONES, Chair

Above resolution ordered to third reading.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 160—Cogdill. An act to amend Section 10783 of the Revenue and Taxation Code, and to amend Sections 5101.5 and 9105 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 161—Vargas (Principal coauthor: Evans). An act to add Section 5009.5 to the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 162—Leslie. An act to amend Section 81142 of the Education Code, relating to community colleges.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Wednesday, January 19, 2005, out of respect to the memory of Muff Singer, on motion of Assembly Member Levine; out of respect to the memory of Melvin A. St. John Jr., on motion of Assembly Member Strickland; out of respect to the memory of Joan Bonanno, on motion of Assembly Member Mullin; out of respect to the memory of Carol E. Hinshaw, on motion of Assembly Member Pavley; out of respect to the memory of Eleanor J. Paratore, Robert Scadden, Samuel Everett Rimoldi, and William L. Glover, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 18, 2005**

The following measure was amended in the Assembly on this day:

AJR RN

1 0502399

Daily Total: 1

Cumulative Total: 3

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 19, 2005
TWELFTH SESSION DAY
FORTY-FIFTH 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
Wednesday, January 19, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—63:

Aghazarian	Daucher	Laird	Richman
Arambula	De La Torre	Leno	Ridley-Thomas
Baca	DeVore	Leslie	Ruskin
Bass	Dymally	Levine	Saldaña
Berg	Emmerson	Liu	Salinas
Bermúdez	Evans	Matthews	Spitzer
Blakeslee	Goldberg	Montañez	Strickland
Bogh	Gordon	Mountjoy	Torrigo
Calderon	Hancock	Mullin	Tran
Canciamilla	Harman	Nakanishi	Umberg
Chan	Haynes	Nava	Vargas
Chavez	Jones	Negrete McLeod	Villines
Chu	Karnette	Oropeza	Wolk
Cogdill	Keene	Parra	Wyland
Cohn	Klehs	Pavley	Mr. Speaker
Coto	La Malfa	Plescia	

Quorum present.

At 1:24 p.m., Hon. Lloyd Levine, 40th 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 Frommer, Shirley Horton, Koretz, Lieber, Nation, and Yee.

On personal business, and waiving per diem: Assembly Members Benoit, Garcia, Houston, Huff, La Suer, Maze, McCarthy, Niello, Runner, and Walters.

Because of illness: Assembly Member Jerome E. Horton.

EXPLANATIONS OF ABSENCE

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

January 14, 2005

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

Dear Mr. Speaker: I respectfully request an excuse for Check-In Session on January 19, 2005, to attend meetings in my District Office.

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

January 18, 2005

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

Dear Speaker Núñez: Please excuse me from check-in Session on Wednesday, January 19, 2005 and check-in Session on Thursday, January 20 as I have legislative business to attend to. In the event that a regular Session is called on Thursday, January 20, 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

January 18, 2005

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

Dear Speaker Núñez: I respectfully ask permission to be excused from check-in session on Wednesday, January 19, 2005 due to legislative business. If you have any questions or concerns please contact Leticia Klein in my office at 916-319-2042.

Sincerely,

PAUL KORETZ, Assembly Member
Forty-second District

January 19, 2005

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

Dear Speaker Núñez,

I request to be excused from Check-in session on Wednesday, January 19, 2005, due to legislative business in my District Office.

Cory Jaspersen, my Chief of Staff, is available to respond to any questions at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

January 19, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session today, Wednesday, January 19, 2005 due to legislative business in my district office.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

January 19, 2005

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

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Wednesday January 19. I will be in my district during this time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
Speaker pro Tempore

COMMUNICATIONS

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

January 18, 2005

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

RE: Appointment of Gene Mullin
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Gene Mullin to the State Allocation Board for January 26, 2005 only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**2003–04 Report Requiring Any Licensee or His or Her Insurer
to Pay Any Amount of Damages in Excess of \$3,000
(Pursuant to Business and Professions Code
Division 2, Chapter 1, Article 11, Section 8)**

Above transmitted report, together with letter of transmittal from Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer, Board of Vocational Nursing and Psychiatric Technicians, dated December 15, 2004, referred by the Speaker to the Committee on Business and Professions.

**Ravenswood Budget Report
(Pursuant to Budget Act 2004, Chapter 208, Item 28)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated January 6, 2005, referred by the Speaker to the Committee on Budget.

**Computer-Aided Dispatch System Report
(Pursuant to Budget Act 2001, Item 3540-001-001)**

Above transmitted report, together with letter of transmittal from Dale Geldert, Director, Department of Forestry and Fire Protection, dated January 12, 2005, referred by the Speaker to the Committee on Budget.

**Progress Report on Implementation During 2003 of
the Trout and Steelhead Conservation and Management Planning Act of 1979
(Pursuant to Fish and Game Code Section 1727(d))**

Above transmitted report, together with letter of transmittal from L. Ryan Broddrick, Director, Department of Fish and Game, dated January 12, 2005, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Clean Beaches Initiative Program—Progress Report on
Using Environmental Protection Indicators in Administration of Bond Funds
(Pursuant to Supplemental Report of the 2003 Budget Act
Item 3940-101-6031)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated January 13, 2005, referred by the Speaker to the Committee on Budget.

**Progress Report on the Activities of
the San Gabriel Basin Water Quality Authority, 1992 through 2003
(Pursuant to Assembly Bill 2544, Chapter 905, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated January 10, 2005, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Small Business Loan Guarantee Program
Annual Report for 2003–04
(Pursuant to Corporations Code Section 14030.2(b))**

Above transmitted report, together with letter of transmittal from Glenn Stober, Manager, Small Business Loan Guarantee Program, Business, Transportation and Housing Agency, dated January 13, 2005, referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

**Annual Railroad Safety Activity Report
(Pursuant to Public Utilities Code Sections 309.7 and 765.6)**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated January 7, 2005, referred by the Speaker to the Committee on Transportation.

**(Proposition 50) Bond Fund Report
(Pursuant to Water Code Section 79575)**

Above report referenced in communication from Mike Chrisman, Secretary for Resources Agency, dated January 3, 2005, stating availability of report at <http://www.4050bonds.resources.ca.gov/>.

Referred by the Speaker to the Committee on Water, Parks and Wildlife.

**School Facility Program Costs Avoided per Pupil by Use of
Year-Round Education
(Pursuant to Education Code Section 42263(d) (3))**

Above report referenced in communication from Jacqueline R. Wilson, Deputy Executive Officer, Office of Public School Construction, State Allocation Board, dated January 7, 2005, stating availability of report at <http://www.legi.dgs.ca.gov/Publications/2004LegislativeReports.htm>.

Referred by the Speaker to the Committee on Education.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 19, 2005

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

Assembly Joint Resolution No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 163—Bermudez. An act to amend Section 7316 of the Business and Professions Code, relating to barbering and cosmetology.

ASSEMBLY BILL NO. 164—Nava. An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.92, 195.93, and 195.94 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 165—Dymally. An act to amend Section 89416 of the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 166—Ridley-Thomas. An act to add Chapter 5.5 (commencing with Section 101855) to part 4 of Division 101 of the Health and Safety Code, relating to health care.

ASSEMBLY BILL NO. 167—Cohn. An act to amend Section 1203.097 of the Penal Code, relating to domestic violence.

ASSEMBLY BILL NO. 168—Ridley-Thomas. An act to add Article 7.5 (commencing with Section 9147.1) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to repeal Section 13305 of, the Government Code, relating to state government.

ADJOURNMENT

At 3:55 p.m., the Assembly adjourned until 6 a.m., Thursday, January 20, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 20, 2005
THIRTEENTH SESSION DAY
FORTY-SIXTH 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
Thursday, January 20, 2005

The Assembly met at 6 a.m.

Hon. Tom Harman, Assembly Member, 67th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—62:

Aghazarian	De La Torre	Leslie	Ruskin
Arambula	DeVore	Levine	Saldaña
Baca	Dymally	Liu	Salinas
Bass	Emmerson	Matthews	Spitzer
Berg	Evans	Montañez	Strickland
Bermúdez	Frommer	Mountjoy	Torrico
Blakeslee	Goldberg	Mullin	Tran
Bogh	Gordon	Nakanishi	Umberg
Calderon	Hancock	Nation	Vargas
Chan	Harman	Nava	Villines
Chavez	Haynes	Negrete McLeod	Wolk
Chu	Jones	Oropeza	Wyland
Cogdill	Karnette	Parra	Yee
Cohn	Keene	Plescía	Mr. Speaker
Coto	Laird	Richman	
Daucher	Leno	Ridley-Thomas	

Quorum present.

At 10:34 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.

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 Canciamilla, Shirley Horton, Klehs, Koretz, La Malfa, Lieber, and Pavley.

On personal business, and waiving per diem: Assembly Members Benoit, Garcia, Houston, Huff, La Suer, Maze, McCarthy, Niello, Runner, and Walters.

Because of illness: Assembly Member Jerome E. Horton.

EXPLANATIONS OF ABSENCE

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

January 18, 2005

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

Speaker Núñez: I request to be excused from check-in session on Thursday, January 20 due to legislative business in my district.

Sincerely,

JOSEPH CANCIAMILLA, Assembly Member
Eleventh District

January 19, 2005

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

Dear Speaker Núñez: I would like to request that I be excused from check-in session on Thursday, January 20, 2005. I have district business to attend to.

Thank you for your attention to this matter. If you have any questions or comments please feel free to contact me at (916) 319-2018.

Sincerely,

JOHAN KLEHS, Assembly Member
Eighteenth District

January 20, 2005

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

Dear Speaker Núñez: I respectfully ask permission to be excused from check-in session on Thursday, January 20, 2005 due to legislative business. If you have any questions or concerns please contact Leticia Klein in my office at 916-319-2042.

Sincerely,

PAUL KORETZ, Assembly Member
Forty-second District

January 13, 2005

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

Dear Mr. Speaker,

I am respectfully requesting permission to be excused from session on Thursday, January 20, 2005. I will be in my district attending to legislative business.

Thank you for your consideration of this matter. If you have any questions or concerns, please contact me at 319-2002.

Sincerely,

DOUG LA MALFA, Assembly Member
 Second District

January 20, 2005

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

Dear Speaker Núñez,

I request to be excused from Check-in Session on Thursday, January 20, 2005, due to legislative business in my District Office.

Cory Jaspersen, my Chief of Staff, is available to respond to any questions at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
 Twenty-second District

January 19, 2005

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-in Session on January 20, 2005 due to legislative business in my district.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

FRAN PAVLEY, Assembly Member
 Forty-first District

(NOTE: For letter explaining the absence of Assembly Member Shirley Horton on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 19, 2005.)

SPECIAL COMMITTEE MEETINGS

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

Appropriations Committee for an informational hearing, on Thursday, January 27, 2005, at 1:30 p.m., in El Monte.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

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

ASSEMBLY BILL NO. 170—Lieber. An act to add and repeal Section 14133.55 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 171—Yee. An act to add Chapter 6.4 (commencing with Section 52059.1) to Part 28 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 172—Chan (Principal coauthor: Senator Escutia) (Coauthors: Berg, Bermudez, Coto, Evans, Hancock, Jones, Leno, Lieber, Liu, Montanez, Nava, Parra, Pavley, Ruskin, Salinas, and Yee) (Coauthors: Senators Figueroa, Florez, Kuehl, Lowenthal, and Ortiz). An act relating to preschool.

ASSEMBLY BILL NO. 173—Houston. An act to add Section 1714.4 to the Civil Code, relating to liability.

ASSEMBLY BILL NO. 174—Salinas. An act to amend Section 507 of the Pajaro Valley Water Management Agency Act (Chapter 257 of the Statutes of 1984), relating to the Pajaro Valley Water Management Agency.

ASSEMBLY BILL NO. 175—Calderon. An act to amend Section 1749.45 of the Civil Code, relating to gift certificates.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 12 noon, Monday, January 24, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 24, 2005
FOURTEENTH SESSION DAY
FIFTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 24, 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 La Suer moved a quorum call of 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 12:03 p.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

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

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

PRAYER

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

Lord, The work we do in this chamber concerns all the people of this great state. Yet, Your greatness is seen in all the world! Your praise reaches up to the heavens, and is sung by young and old alike. When we look at the sky, which You have made, at the moon and the stars, which You have set in their places, we can only marvel that You take the time to care for us. You have crowned us all with glory and honor, and have given us dominion over the earth and its creatures. So we praise and bless You this day, O Lord, and we glorify Your name forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Calderon.

Because of illness: Assembly Members Niello and Oropeza.

Because of illness in her family: Assembly Member Montañez.

EXPLANATIONS OF ABSENCE

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

January 11, 2005

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

Dear Mr. Speaker: I am writing today to request to be excused from Session on Monday, January 24, 2005 to attend legislative business in my district. I will return to Sacramento on Tuesday, January 25, 2005. If you have any questions please contact Tiffany Morrison at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member
Fifty-eighth District

COMMUNICATIONS

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

January 24, 2005

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

Dear Dotson: This is to advise you that I appointed Assemblymember Lloyd Levine to replace Assemblymember Cindy Montañez on the Assembly Rules Committee for today's hearing only.

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

2004-115
January 20, 2005

*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, the Bureau of State Audits presents its audit report concerning service-related contracts and subcontracts for state-funded work that is being performed outside of the country. This report concludes that it is difficult to judge the prevalence and effects of offshore contracting (offshoring). Specifically, state agencies currently receive no guidance related to offshoring and are not required to track where their contracted services are being performed or report the extent to which services are being performed offshore. Because of the difficulty in identifying where subcontracted work is performed, determining with any certainty the amount of state funds spent on services performed offshore is a challenge.

Our survey of selected state agencies and campuses (entities) indicates that some state-funded services are being performed offshore. However, from our limited data, the State apparently has been spending little on services performed in foreign countries. Entities that we surveyed reported 185 contracts totaling \$638.9 million where at least some portion of the work has possibly been performed offshore. Asked to estimate the dollar amount of these offshored services, participants reported the amount was unknown for 76 of these contracts. For the remaining 109 contracts, totaling \$349 million, participants estimated that only \$9.7 million (2.8 percent) of the contracted services were performed offshore.

Finally, the offshore contracts we reviewed generally contain provisions to protect sensitive and confidential information from disclosure. It is essential for state entities to determine where

subcontracted services are performed and who is performing the services. This knowledge will enable state entities to better ensure that all contracts and subcontracts include appropriate provisions to protect confidential information from disclosure and that all parties to the contract, including subcontractors, are aware of and comply with contract terms and conditions.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Jobs, Economic Development and the Economy.

The following reports were presented by the Chief Clerk:

**2005 Annual Report of
the California DUI Management Information System
(Pursuant to Assembly Bill 757, Chapter 450, Statutes of 1989)**

Above transmitted report, together with letter of transmittal from Joan M. Borucki, Director, Department of Motor Vehicles, dated January 12, 2005, referred by the Speaker to the Committee on Transportation.

**Environmental Justice Program Update Report
(Pursuant to Public Resources Code Section 71115)**

Above transmitted report, together with letter of transmittal from Alan C. Lloyd, Ph.D., Agency Secretary, California Environmental Protection Agency, dated January 13, 2005, referred by the Speaker to the Committee on Natural Resources.

**Disabled Veterans Business Enterprise Report 2003-04
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from Ruth Coleman, Director, Department of Parks and Recreation, dated January 20, 2005, referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

**Predatory Lending Report
(Pursuant to Assembly Bill 489, Chapter 732, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Jeff Davi, Commissioner, Department of Real Estate, dated January 13, 2005, referred by the Speaker to the Committee on Banking and Finance.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the Enforcement Monitor's Report on the Medical Board of California for hearing in the Joint Committee on Boards, Commissions and Consumer Protection on Tuesday, January 25, 2005.

COMMUNICATIONS

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

Legislative Intent—Assembly Bill No. 2856

January 24, 2005

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Wilson: I respectfully submit this letter in an effort to address the context of my Assembly Bill 2856 (Chapter 890, Statutes of 2004).

As a matter of background, the Assembly Special Committee on State Mandates, to which the Speaker appointed me chair, has over the last 18 months explored in detail most aspects of the state mandates process.

AB 2856 is only one step in reforming the state mandates claiming process. I believe it is an important first step. It is my hope that we will be able to enact broad and fundamental reforms to the state mandates process this session as a follow up to the work of the Special Committee. It is important to understand this bill in that context and that it does not constitute the last expected action on the mandates process.

A concern was also raised about the ‘reasonable reimbursement methodology’ included as a piece of AB 2856. The bill states that this methodology shall be used ‘whenever possible,’ indicating that it is an alternative to the current process whenever possible.

I appreciate your time and consideration of this matter.

Respectfully submitted,

JOHN LAIRD, Assembly Member
Twenty-seventh District

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly Bill No.</i>	<i>Committee</i>
30 -----	P.E.,R. & S.S. and V.A.
68 -----	Jud.
84 -----	Trans. and Nat. Res.
89 -----	Health
90 -----	Budget
91 -----	Pub. S.
93 -----	Ed.
95 -----	Health
96 -----	Pub. S.
98 -----	Pub. S.
99 -----	Jud.
100 -----	Pub. S.
101 -----	Pub. S.
104 -----	Jud.
105 -----	Health
106 -----	Pub. S.
107 -----	Trans.
108 -----	Jud.

111 ----- G.O.
 112 ----- Jud.
 113 ----- Pub. S.
 114 ----- Pub. S.
 115 ----- Rev. & Tax.
 116 ----- Health
 117 ----- Health
 118 ----- Jud.
 119 ----- Health
 120 ----- Jud.
 121 ----- Health
 122 ----- Hum. S.
 123 ----- Ed.
 125 ----- Pub. S.
 126 ----- Health
 127 ----- Budget
 128 ----- Budget
 129 ----- Budget
 130 ----- Budget
 131 ----- Budget
 132 ----- Budget
 133 ----- Budget
 134 ----- Budget
 135 ----- Budget
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 147 ----- Budget
 148 ----- Budget
 149 ----- Budget
 150 ----- Budget
 151 ----- Budget
 152 ----- Budget
 153 ----- Budget
 154 ----- Budget
 155 ----- Budget
 156 ----- Budget
 157 ----- Pub. S.
 158 ----- E. & R.

Assembly Concurrent

Resolution No.

Committee

8 ----- Rls.

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

ASSEMBLY JOINT RESOLUTION NO. 3 (Cohn)—Relative to the 32nd anniversary of Roe v. Wade.

Resolution read.

Point of Order

Assembly Member Frommer arose to the following point of order:
Assembly Member Mountjoy is not limiting debate to the merits of the resolution.

Ruling by Speaker pro Tempore Yee

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

Motion to Appeal from the Decision of the Chair

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

Assembly Member Maze seconded the motion.

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

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

AYES—31

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

NOES—45

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

Vote Changes

By unanimous consent, the following vote changes were permitted on the Mountjoy appeal from decision of the Chair on Assembly Joint Resolution No. 3: Assembly Member Leno from “Aye” to “No”; Assembly Member Aghazarian from “No” to “Aye”.

Point of Order

Assembly Member Mountjoy arose to the following point of order:
Assembly Member Cohn is not limiting debate to the merits of the resolution.

Ruling by Speaker pro Tempore Yee

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

**Further Consideration of Assembly Joint Resolution No. 3
Members Made Coauthors of Assembly Joint Resolution No. 3**

Assembly Member Cohn was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 3.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Baca, Bermúdez, Canciamilla, Coto, De La Torre, Dymally, Frommer, Gordon, Jerome Horton, Klehs, Koretz, Laird, Leno, Levine, Liu, Mullin, Nation, Nava, Núñez, Parra, Richman, Ruskin, Saldaña, Salinas, Vargas, and Yee.

Request for Unanimous Consent

Assembly Member Cohn was granted unanimous consent to take up Assembly Joint Resolution No. 3, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 3, as Amended

ASSEMBLY JOINT RESOLUTION NO. 3—Relative to the 32nd anniversary of Roe v. Wade.

Resolution read, as amended, and adopted by the following vote:

AYES—47

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

NOES—26

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

Resolution ordered transmitted to the Senate.

ADJOURN IN MEMORY

Assembly Members Pavley, Frommer, and Chavez were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Johnny Carson, of Malibu.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Holly Wooster, of Monrovia.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Haynes and Spitzer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Trudy Schmidt, of Corona.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Arambula was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Consuelo Blanco, of Fresno.

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Steve Marshall and Normand Steven Rush, of Yucaipa.

Assembly Member Chu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sibilina Flores and Frank Zavala, of El Monte.

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 Neil Sandow, of Santa Cruz.

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 Shirley Elizabeth Van Maren, of Citrus Heights.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Muriel Mackay, of Novato.

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Neil C. Schmidt, of Fillmore.

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Virginia Mayo, of Thousand Oaks.

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 Joel Y. Bryan and Helen Audree Cordrey, of Davis; Carol Petra Falati, Steven Auega Fonoti, and Emma “Penny” Herington, of Fairfield; Frances M. Beitler and Rudolph Walter Mangels, of Vacaville; and Emma A. Rodriguez, of West Sacramento.

VOTE ADDS

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

Assembly Joint Resolution No. 3, Mountjoy Motion to Appeal Decision of the Chair: Shirley Horton—Aye; Umberg—No.

Assembly Joint Resolution No. 3: Karnette—Aye.

MOTION TO ADJOURN

At 1:09 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:10 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 176—Bermudez. An act to amend Section 71601 of the Government Code, relating to trial courts.

ASSEMBLY BILL NO. 177—Bogh. An act to amend Sections 40106, 40201, 41781.2, 41783, and 41783.1 of, and to add Section 40107 to, the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 178—Koretz (Coauthor: Senator Ortiz). An act to add Part 8 (commencing with Section 14950) to Division 12 of the Health and Safety Code, relating to cigarettes.

ASSEMBLY BILL NO. 179—Bermudez. An act to add Section 1569.39 to the Health and Safety Code, relating to residential care facilities for the elderly.

ASSEMBLY BILL NO. 180—Jerome Horton (Coauthors: Benoit and Matthews). An act to amend Sections 6738 and 8729 of the Business and Professions Code, and to amend Sections 16101, 16956, and 16959 of the Corporations Code, relating to limited liability partnerships.

ASSEMBLY BILL NO. 181—Huff. An act to add Section 9032 to the Government Code, relating to the Legislature.

ASSEMBLY BILL NO. 182—Benoit. An act to amend Section 1529 of the Penal Code, relating to search warrants.

ASSEMBLY BILL NO. 183—Cogdill. An act to add Section 6203.5 to the Penal Code, relating to conservation camps, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 184—Cogdill. An act relating to air pollution.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9—Bogh. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (d) of Section 1 of Article XIX B thereof, relating to transportation.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 9—Oropeza. Relative to California Girls and Women in Sports Day.

MESSAGES FROM THE SENATE

Senate Chamber, January 24, 2005

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

Senate Bill No. 29

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. 29—An act relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

INTRODUCTION OF GUESTS

Assembly Member Levine, of the 40th Assembly District, introduced the Honorable Josefina M. dela Cruz, Governor, Bulacan.

Assembly Member Bass, of the 47th Assembly District, introduced Jennifer Wooley, President of the California Association of Nurse Anesthetists, Chris Stein, and Fred Cardinal.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, January 25, 2005, out of respect to the memory of Johnny Carson, on motion of Assembly Members Pavley, Frommer, and Chavez; out of respect to the memory of Holly Wooster, on motion of Assembly Member Mountjoy; out of respect to the memory of Trudy Schmidt, on motion of Assembly Members Haynes and Spitzer; out of respect to the memory of Consuelo Blanco, on motion of Assembly Member Arambula; out of respect to the memory of Steve Marshall and Normand Steven Rush, on motion of Assembly Member Bogh; out of respect to the memory of Sibilina Flores and Frank Zavala, on motion of Assembly Member Chu; out of respect to the memory of Neil Sandow, on motion of Assembly Member Laird; out of respect to the memory of Shirley Elizabeth Van Maren, on motion of Assembly Member Leslie; out of respect to the memory of Muriel Mackay, on motion of Assembly Member Nation; out of respect to the memory of Neil C. Schmidt, on motion of Assembly Member Pavley; out of respect to the memory of Virginia Mayo, on motion of Assembly Member Strickland; out of respect to the memory of Joel Y. Bryan, Helen Audree Cordrey, Carol Petra Falati, Steven Auega Fonoti, Emma “Penny” Herington, Frances M. Beitler, Rudolph Walter Mangels, and Emma A. Rodriguez, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 25, 2005
FIFTEENTH SESSION DAY
FIFTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 25, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

At 12:15 p.m., Hon. Keith Richman, 38th 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 Member Spitzer.

Because of illness: Assembly Members Niello and Oropeza.

Because of illness in her family: Assembly Member Montañez.

EXPLANATIONS OF ABSENCE

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

January 20, 2005

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

Dear Mr. Speaker: I would like to be excused from session on Tuesday and Wednesday, January 25 and 26, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

COMMUNICATIONS

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

January 24, 2005

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

*Mr. Greg Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, California*

Dear Mr. Wilson and Mr. Schmidt: Please be advised that the Assembly and Senate contingents of the Joint Committee on Rules met on January 3, 2005, and January 24, 2005, respectively, and approved the following items:

- Selection of Assembly Member Cindy Montañez as the Chair of the Joint Committee on Rules for the 2005–06 Legislative Session (17–0); and
- Appointment of Jon Waldie as the Chief Administrative Officer of the Joint Committee on Rules for the 2005–06 Legislative Session (17–0).

Please ensure that these actions are printed in the Assembly and Senate Daily Journals.

Sincerely,

CINDY MONTAÑEZ
Chair

PROPOSED INITIATIVES

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated January 19, 2005, transmitting copies of the title, summary, and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

**Waiting Period and Parental Notification
Prior to Termination of Minor's Pregnancy.
Initiative Constitutional Amendment. SA 2004RF0034**

Referred by the Speaker to the Committee on Judiciary.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 185—Plescia. An act to amend Sections 218 and 275 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 186—Bogh (Coauthors: Aghazarian, Emmerson, Shirley Horton, Koretz, McCarthy, Negrete McLeod, and Plescia). An act to add Section 6434.5 to the Labor Code, relating to occupational safety and health.

ASSEMBLY BILL NO. 187—Mountjoy (Principal coauthor: Bogh) (Coauthors: Aghazarian, Benoit, Blakeslee, Cogdill, Daucher, DeVore, Emmerson, Frommer, Garcia, Harman, Haynes, Shirley Horton, Huff, Keene, La Malfa, Leslie, Maze, McCarthy, Plescia, Richman, Runner, Strickland, Tran, Villines, Walters, and Wyland). An act to amend, repeal, and add Sections 3307 and 3311 of the Elections Code, relating to overseas voters.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 26, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 26, 2005
SIXTEENTH SESSION DAY
FIFTY-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
Wednesday, January 26, 2005

The Assembly met at 7 a.m.

Hon. Mimi Walters, Assembly Member, 73rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—72:

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

Quorum present.

At 1:31 p.m., Hon. Kevin McCarthy, 32nd 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 Gordon, Nation, Richman, Spitzer, and Yee.

Because of illness: Assembly Members Cohn and Oropeza.

Because of illness in her family: Assembly Member Montañez.

EXPLANATIONS OF ABSENCE

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

January 26, 2005

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

Dear Speaker Núñez: Please excuse me from session today, January 26, 2005. I was engaged in legislative business, participating in a meeting of the Little Hoover Commission.

Sincerely,

MIKE GORDON, Assembly Member
Fifty-third District

January 25, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session, Wednesday, January 26, 2005 due to legislative business in my district office.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

January 26, 2005

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

Dear Speaker Núñez: I inadvertently forgot to check in this morning. My first meeting was at 7:30 and I had back to back meetings the rest of the day before traveling to the airport and flying back to the district on legislative business. You may confirm my presence at the Capitol by contacting the Special Services sergeant who drove me to the airport. Please excuse me on legislative business.

Thank you for your consideration in this matter. If you should have any questions, please call Connie in my Capitol office any time at 916-319-2038.

Sincerely,

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

January 25, 2005

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

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Wednesday January 26. I will be in my district during this time attending to legislative business.

Sincerely,

LELAND Y. YEE, Ph.D.
Speaker pro Tempore

(NOTE: For letter explaining the absence of Assembly Member Spitzer on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 25, 2005.)

COMMUNICATIONS

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

January 26, 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 Rick Keene to replace Assemblymember Alan Nakanishi, who served in place of Assemblymember Dave Cogdill, on the Joint Legislative Audit Committee for the committee's hearings on "The Secretary of State. Help America Vote Act of 2002" only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 26, 2005

*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 Los Angeles Health Care Crisis and have appointed the following members to serve:

- Assemblymember Mark Ridley-Thomas, Chair
- Assemblymember Karen Bass
- Assemblymember Wilma Chan
- Assemblymember Hector De La Torre
- Assemblymember Mervyn Dymally
- Assemblymember Dario Frommer
- Assemblymember Jackie Goldberg
- Assemblymember Mike Gordon
- Assemblymember Cindy Montañez
- Assemblymember Keith Richman
- Assemblymember Sharon Runner

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 188—Nakanishi (Principal coauthor: Senator Cox). An act to amend Section 21115.5 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 189—Shirley Horton. An act to amend Section 149.4 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 190—Negrete McLeod (Coauthors: Chavez, Cohn, Evans, Garcia, Shirley Horton, Houston, Koretz, Laird, Liu, Matthews, Maze, Nava, Pavley, Spitzer, Walters, Wolk, and Yee) (Coauthor: Senator Speier). An act to add and repeal Article 13.5 (commencing with Section 18846) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 191—Vargas. An act to amend Sections 1063, 1063.1, and 1063.5 of the Insurance Code, relating to insolvency.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 10—Chu, Chan, Nakanishi, Tran, Yee, Shirley Horton, Torrico, and Liu (Coauthor: Senator Machado). Relative to a Day of Remembrance.

HOUSE RESOLUTION NO. 5—Chu, Chan, Nakanishi, Tran, Yee, Shirley Horton, Torrico, and Liu. Relative to Lunar New Year Celebration.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9:30 a.m., Thursday, January 27, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 27, 2005
SEVENTEENTH SESSION DAY
FIFTY-THIRD 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
Thursday, January 27, 2005

The Assembly met at 9:30 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Maze moved a quorum call of 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 9:33 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—74:

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

PRAYER

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

Almighty God, We are only mortal beings, but You are king forever. You are a refuge for the oppressed, a place of safety in times of trouble. Those who know You, Lord, will trust You and You will not abandon anyone who comes to You. That is why we come to You in prayer today and ask that You strengthen us in body and in soul and help us to remember all the wonderful things You have done.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Chan and La Suer.

On personal business, and waiving per diem: Assembly Member Walters.

Because of illness: Assembly Members Cohn and Oropeza.

Because of illness in her family: Assembly Member Montañez.

EXPLANATIONS OF ABSENCE

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

January 24, 2005

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

Dear Speaker Núñez: I am requesting to be excused from Floor Session on Thursday, January 27, 2005, due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

January 25, 2005

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

Dear Speaker Núñez: I am requesting an excused absence from Session on Thursday, January 27, 2005, as I have legislative business in my district that day.

Thank you for your assistance in this matter.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

COMMUNICATIONS

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

January 27, 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 the following Assemblymembers to the Joint Legislative Budget Committee for the 2005–06 Regular Session.

Assemblymember John Laird, Vice Chair
Assemblymember Judy Chu
Assemblymember Hector De La Torre
Assemblymember Jackie Goldberg
Assemblymember Rick Keene
Assemblymember Kevin McCarthy
Assemblymember Pedro Nava
Assemblymember Sharon Runner

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 27, 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 Paul Koretz to the Select Committee on the Los Angeles Health Care Crisis.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 27, 2005

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

RE: Appointment of Gene Mullin
to Curriculum Development and Supplemental Materials Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Gene Mullin to the Curriculum Development and Supplemental Materials Commission for January 28, 2005 only. Assemblymember Mullin will be replacing Assemblymember Jackie Goldberg.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Report on Utilization of Classrooms and Teaching Laboratories
(Pursuant to Supplemental Report of the 2002 Budget Act
Item 6610-301-0574)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated January 13, 2005, referred by the Speaker to the Committee on Higher Education.

**Status of the California Low Cost Automobile Insurance Program
(Pursuant to Insurance Code Sections 11629.81 and 11629.992)**

Above transmitted report, together with letter of transmittal from Richard J. Manning, CAARP Regional Director, California Automobile Assigned Risk Plan, dated January 21, 2005, referred by the Speaker to the Committee on Insurance.

**Report on School Districts that Have Not Adopted Budgets
Fiscal Year 2004–05
(Pursuant to Education Code Sections 42127(g) and 42127.1(a))**

Above transmitted report, together with letter of transmittal from Jack O’Connell, State Superintendent of Public Instruction, Department of Education, dated January 18, 2005, referred by the Speaker to the Committee on Budget.

**California State University
San Bernardino Center for the Study of Correctional Education
Report on Deliverables to the California Department of Education
Interim Status Report
(Pursuant to Education Code Section 56867)**

Above transmitted report, together with letter of transmittal from Jack O’Connell, State Superintendent of Public Instruction, Department of Education, dated January 18, 2005, referred by the Speaker to the Committee on Education.

**Statewide Habitat Conservation Plan Annual Report
(Pursuant to Budget Act 2003–2004, Item 5240-001-0001)**

Above transmitted report, together with letter of transmittal from J. S. Woodford, Director, Department of Corrections, dated January 18, 2005, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**2003 Employee Housing Statistical Summary Report
(Pursuant to Health and Safety Code Sections 17031.8 and 17050(f)(1))**

Above transmitted report, together with letter of transmittal from Lucetta Dunn, Director, Department of Housing and Community Development, dated January 21, 2005, referred by the Speaker to the Committee on Housing and Community Development.

**Approval of Workload Plan
for Office of Court Construction and Management
(Pursuant to Senate Bill 1732, Chapter 1082, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Kim Davis, Director, Office of Court Construction and Management, Judicial Council Of California, dated January 18, 2005, referred by the Speaker to the Committee on Judiciary.

**Annual Budget and Staffing Report of
the Office of Ratepayer Advocates
(Pursuant to Public Utilities Code Section 309.5 (g))**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated January 19, 2005, referred by the Speaker to the Committee on Utilities and Commerce.

Surveys of Local Assessment Procedures

Contra Costa County, September 2004

Fresno County, April 2004

Merced County, April 2004

Placer County, December 2004

San Bernardino County, July 2004

Santa Barbara County, January 2004

Tuolumne County, May 2004

Yolo County, March 2004

Colusa County, December 2004

San Luis Obispo, December 2004

Trinity County, July 2004

**Orange County (Supplemental) Assessment, February 2004
(Pursuant to Government Code Sections 9795 and 15646)**

Above transmitted report, together with letter of transmittal from Ramon J. Hirsig, Executive Director, Board of Equalization, dated January 12, 2005, referred by the Speaker to the Committee on Revenue and Taxation.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Aging and Long-Term Care to convene jointly with the Committee on Judiciary, on Friday, February 4, 2005, in Room 4202;

Budget Subcommittee No. 2 on Education Finance, on Tuesday, March 1, 2005 at 9 a.m. in Room 444;

Budget Subcommittee No. 5 on Transportation, on Wednesday, February 9, 2005 at 10 a.m.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
32 -----	Nat. Res.
102 -----	Jud.
103 -----	Ed.
109 -----	Health
110 -----	Ed. and Higher Ed.
124 -----	P.E.,R. & S.S.
161 -----	Pub. S.
163 -----	B. & P.
164 -----	Rev. & Tax.
165 -----	Higher Ed.
168 -----	Rev. & Tax.
170 -----	Health
171 -----	Ed.
173 -----	Jud.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
1 -----	Health
7 -----	J., E.D. & E.

Senate

<i>Bill No.</i>	<i>Committee</i>
29 -----	Health

MESSAGES FROM THE SENATE

Senate Chamber, January 27, 2005

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

Senate Bill No. 28

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

Senate Chamber, January 27, 2005

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

Senate Concurrent Resolution No. 6

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. 28—An act relating to human remains, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 6—Relative to the 60th anniversary of the World War II invasion of the Island of Iwo Jima.

ADJOURN IN MEMORY

Assembly Member Nakanishi was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Aurora C. Aguirre, of Lodi.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Saldaña was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sergeant Patrick S. Tainsh, of Oceanside, Captain Richard J. Gannon II, of Escondido, Specialist Eric U. Ramirez, Sergeant Rafael Peralta, and Corporal Randal Kent Rosacker, of San Diego, Corporal Erik H. Silva, of Chula Vista, Specialist Ramon C. Ojeda, of Ramona, Lance Corporal Jason William Moore, of San Marcos, Lance Corporal Jesus A. Suarez Del Solar, of Escondido, Private Devon D. Jones, of San Diego, and Lance Corporal Cory Ryan Geurin, of Santee.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY**Moment of Silence Observed**

Assembly Members Frommer and Goldberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Scott McKeown, of Pasadena, Julia Bennett, of Los Angeles, Manuel D. Alcala, of West Hills, Elizabeth Hill, of Glendale, and Deputy James Tutino, of Los Angeles, and that the Assembly observe a moment of silence in their honor.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Arambula was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Captain Joe Fenton Lusk II, of Reedley and Staff Sergeant Jose Carlos Rangel, of Fresno.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Danny Nations, of Crescent City.

Assembly Member Calderon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard "Rick" Salazar, of Montebello.

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 Marilyn Edstrom and Paul Henry Egly, of Santa Rosa.

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

Assembly Member McCarthy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roy Weygand, of Bakersfield.

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Galvez, of Sacramento.

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 Julia Judy Hurst, of Benicia; Gregory J. Fisk, and Victor Frias, of Davis; John Fernandez Ariza, Edward Bud Borges, Robert L. Calbert, Jerry Ebling, and Douglas H. Eltringham, of Fairfield; Audrey Ruth Adcock, Alberta E. Ball, and Irene Louise Joraskie, of Vacaville; and Larry Lee Gondala, of Vallejo.

MOTION TO ADJOURN

At 9:45 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Keene, Frommer, Richman, Goldberg, Bermúdez, and Mountjoy arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:57 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 192—Tran. An act to amend Section 830.6 of, and to add Section 815.1 to, the Government Code, relating to governmental tort liability.

ASSEMBLY BILL NO. 193—Maze (Principal coauthor: Cogdill). An act relating to fish and game.

ASSEMBLY BILL NO. 194—Dymally. An act to amend Section 54960.1 of the Government Code, relating to open meetings.

ASSEMBLY BILL NO. 195—Dymally. An act to amend 19702 of the Government Code, relating to state civil service.

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

ASSEMBLY BILL NO. 197—Umberg. An act to add Section 798.80.5 of the Civil Code, relating to mobilehomes.

ASSEMBLY BILL NO. 198—Klehs. An act to relating to the California Arts Council.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 4—Tran. Relative to the death tax.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 11 a.m., Monday, January 31, 2005, out of respect to the memory of Aurora C. Aguirre, on motion of Assembly Member Nakanishi; Sergeant Patrick S. Tainsh, Captain Richard J. Gannon II, Specialist Eric U. Ramirez, Sergeant Rafael Peralta, Corporal Randal Kent Rosacker, Corporal Erik H. Silva, Specialist Ramon C. Ojeda, Lance Corporal Jason William Moore, Lance Corporal Jesus A. Suarez Del Solar, Private Devon D. Jones, and Lance Corporal Cory Ryan Geurin, on motion of Assembly Member Saldaña; out of respect to the memory of Scott McKeown, Julia Bennett, Manuel D. Alcalá, Elizabeth Hill, and Deputy James Tutino, on motion of Assembly Members Frommer and Goldberg; out of respect to the memory of Captain Joe Fenton Lusk II and Staff Sergeant Jose Carlos Rangel, on motion of Assembly Member Arambula; out of respect to the memory of Danny Nations, on motion of Assembly Member Berg; out of respect to the memory of Richard “Rick” Salazar, on motion of Assembly Member Calderon; out of respect to the memory of Marilyn Edstrom and Paul Egly, on motion of Assembly Member Evans; out of respect to the memory of Kathleen Harrington, on motion of Assembly Member Leno; out of respect to the memory of Roy Weygand, on motion of Assembly Member McCarthy; out of respect to the memory of John Galvez, on motion of Assembly Member Niello; out of respect to the memory of Julia Judy Hurst, Gregory J. Fisk, Victor Frias, John Fernandez Ariza, Edward Bud Borges, Robert L. Calbert, Jerry Ebling, Douglas H. Eltringham, Audrey Ruth Adcock, Alberta E. Ball, Irene Louise Joraskie, and Larry Lee Gondala, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 31, 2005
EIGHTEENTH SESSION DAY
FIFTY-SEVENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 31, 2005

The Assembly met at 11:01 a.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 Mullin moved a quorum call of the Assembly.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 11:09 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—63:

Aghazarian	Daucher	Klehs	Niello
Arambula	DeVore	La Malfa	Parra
Baca	Dymally	La Suer	Plescia
Bass	Emmerson	Laird	Richman
Benoit	Evans	Leno	Runner
Berg	Frommer	Levine	Ruskin
Bermúdez	Garcia	Lieber	Spitzer
Blakeslee	Goldberg	Matthews	Strickland
Bogh	Gordon	Maze	Torrico
Calderon	Harman	McCarthy	Tran
Canciamilla	Haynes	Mountjoy	Vargas
Chan	Horton, Shirley	Mullin	Villines
Chavez	Houston	Nakanishi	Walters
Chu	Huff	Nation	Wolk
Cogdill	Jones	Nava	Yee
Coto	Keene	Negrete McLeod	

PRAYER

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

Lord, We see so many examples where wicked people seem to succeed in everything. In their pride, they think that God doesn't matter. But You, Lord, listen to the prayers of the lowly and You give them courage. You do see all that happens in the world. You take notice of trouble and suffering and are always ready to help. We pray this morning for all those in the world in need of Your protection and guidance, for You are our help and our support.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members De La Torre, Karnette, Koretz, Montañez, Núñez, Pavley, Ridley-Thomas, Saldaña, Salinas, and Umberg.

On personal business, and waiving per diem: Assembly Members Jerome E. Horton and Liu.

Because of illness: Assembly Members Cohn, Leslie, Oropeza, and Wyland.

Because of illness in her family: Assembly Member Hancock.

EXPLANATIONS OF ABSENCE

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

January 24, 2005

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

Dear Speaker Núñez: I respectfully request permission to be excused from Session on Monday, January 31, 2005 in order to conduct legislative business in my district.

Thank your for your assistance in this matter. If there are any questions, please contact Juan Carlos Torres at (916) 319-2050.

Sincerely,

HECTOR DE LA TORRE, Assembly Member
Fiftieth District

January 29, 2005

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

Dear Mr. Speaker: Please excuse me from Session on Monday, January 31, 2005 due to legislative business in my district.

Sincerely,

BETTY KARNETTE, Assembly Member
 Fifty-fourth District

January 25, 2005

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

Dear Speaker Núñez: I respectfully ask permission to be excused from session on Monday, January 31, 2005 due to legislative business. If you have any questions or concerns please contact Leticia Klein in my office at 916-319-2042.

Sincerely,

PAUL KORETZ, Assembly Member
 Forty-second District

January 31, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from session on legislative business on Monday, January 31, 2005.

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

January 31, 2005

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

Dear Dotson: This is to advise you that I will be in Southern California today on legislative business.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

January 4, 2005

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

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly Floor Session on January 31, 2005 due to legislative business in my district.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

FRAN PAVLEY, Assembly Member
Forty-first District

January 26, 2005

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

Dear Mr. Speaker: I write to request permission to be excused from Session on Monday, January 31. 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

January 27, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from floor session on Monday, January 31, 2005. I will be in my district conducting legislative business.

Sincerely,

LORI SALDAÑA, Assembly Member
Seventy-sixth District

January 24, 2005

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

Dear Mr. Speaker: I am respectfully writing to request permission to be excused from Floor Session on Monday, January 31, 2005. I will be in my district attending to legislative business in the morning that cannot be rescheduled.

If you have any questions regarding this request, please feel free to contact Jalene Romo in my Capitol Office.

Sincerely,

SIMÓN SALINAS, Assembly Member
Twenty-eighth District

January 24, 2005

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

Dear Speaker Núñez,

I respectfully request to be excused from session on Monday, January 31 so that I may be in my district on legislative business.

If you have any questions or concerns about this request, please contact Diane Pugh of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member
Sixty-ninth District

COMMUNICATIONS

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

January 31, 2005

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

Dear Dotson: This is to advise you that I appointed Assemblymember Lloyd Levine to replace Assemblymember Cindy Montañez on the Assembly Rules Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

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

January 26, 2005

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

Dear Speaker Núñez: The Senate Rules Committee has appointed the following Senate members to serve on the Joint Legislative Budget Committee: Senators Chesbro, Ch., Battin, Ducheny, Dunn, Hollingsworth, McClintock, Migden and Scott.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

REPORTS

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

California State Auditor

2004-130
January 26, 2005

*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, the Bureau of State Audits presents its audit report concerning certain aspects of the operations of the Los Angeles Department of Water and Power (department).

This report concludes that the department followed the requirements of the City Charter of the city of Los Angeles (city) and the terms and conditions of its bond debt when it transferred more than \$82 million from its Water Revenue Fund and almost \$575 million from its Power Revenue Fund to the city's reserve fund since fiscal year 2001-02. However, the department needs some improvement in its oversight of its expenditures, contracts, and personnel activities. For example, we found the department did not award all the contracts we reviewed in compliance with city and department competitive bidding requirements, ensure that only authorized staff signed contracts, and did not always seek required approvals from the Board of Water and Power Commissioners. Further, the department did not ensure that only authorized employees approved invoices for payment. Moreover, the department did not use available information to consistently assess compliance with, or ensure uniform enforcement of, the policies regarding the city's purchasing card program. Additionally, the department's lack of central control over personnel files has reduced its ability to ensure that those files contain the records necessary to support

and explain hiring and promotion decisions. Finally, the individuals who occupy seven of the exempt positions we reviewed carry job titles and perform duties that are different from those approved by the mayor and city council.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Local Government.

The following reports were presented by the Chief Clerk:

**An Evaluation of the Effectiveness of Ignition Interlock in California
(Pursuant to Assembly Bill 762, Chapter 756, Statutes of 1998)**

Above transmitted report, together with letter of transmittal from Joan M. Borucki, Director, Department of Motor Vehicles, dated January 19, 2005, referred by the Speaker to the Committee on Transportation.

**Seller's of Travel Law, January 2005
(Pursuant to Senate Bill 2175, Chapter 924, Statutes of 1998)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated January 24, 2005, referred by the Speaker to the Committee on Business and Professions.

**Disabled Veterans Business Enterprise (DVBE)
Contracting Activity Report and Improvement Plan
(Pursuant to Military and Veterans Code Section 999.7)**

Above transmitted report, together with letter of transmittal from Virginia Donovan, SSM 1, Business and Contract Services, Office of Statewide Health Planning and Development, dated January 24, 2005, referred by the Speaker to the Committee on Veterans Affairs.

**Annual Report Describing
Complaints and Other Communications from its Member Public Agencies
(Pursuant to Metropolitan Water District Act Section 127)**

Above transmitted report, together with letter of transmittal from Gilbert F. Ivey, Interim Chief Executive Officer, Metropolitan Water District of Southern California, dated January 31, 2005, referred by the Speaker to the Committee on Local Government.

**Achievements in Conservation, Recycling and Groundwater Recharge
(Pursuant to Senate Bill 60, Chapter 415, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Kathleen Cole, Legislative Representative, Metropolitan Water District of Southern California, dated January 31, 2005, referred by the Speaker to the Committee on Water, Parks and Wildlife.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
167 -----	Pub. S. and Jud.
169 -----	L. & E.
175 -----	B. & P.
177 -----	Nat. Res.
180 -----	B. & P. and B. & F.
182 -----	Pub. S.
183 -----	Pub. S.
185 -----	Rev. & Tax.
187 -----	E. & R.
188 -----	Trans.
189 -----	Trans.
191 -----	Ins.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
9 -----	Rls.
10 -----	Rls.

House

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

Senate

<i>Bill No.</i>	<i>Committee</i>
28 -----	B. & P.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Health Committee to convene jointly with the Committees on Education and Housing and Community Development, on Tuesday, February 8, 2005, at 1:30 p.m., in Room 4202.

Assembly Member Frommer was granted unanimous consent that the Committee on Business and Professions be permitted to hold a special meeting at this time, in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 28 for hearing.

RECESS

By unanimous consent, at 11:12 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 11:18 a.m., the Assembly reconvened.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES
Committee on Business and Professions

Date of Hearing: January 31, 2005

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

Senate Bill No. 28

With the recommendation: Do pass.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense with Constitutional Provision

By Assembly Member Cogdill.

Resolved, That Senate Bill No. 28 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—57

Aghazarian	Coto	La Malfa	Richman
Arambula	DeVore	La Suer	Runner
Baca	Dymally	Laird	Ruskin
Bass	Emmerson	Leno	Spitzer
Benoit	Evans	Lieber	Strickland
Berg	Frommer	Matthews	Torrico
Bermúdez	Garcia	Maze	Tran
Blakeslee	Gordon	McCarthy	Vargas
Bogh	Harman	Mountjoy	Villines
Calderon	Haynes	Mullin	Walters
Canciamilla	Horton, Shirley	Nation	Wolk
Chan	Houston	Negrete McLeod	Yee
Chavez	Huff	Niello	
Chu	Jones	Parra	
Cogdill	Keene	Plescia	

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Senate Bill No. 28

SENATE BILL NO. 28—An act relating to human remains, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Senate Bill No. 28 by Unanimous Consent

Assembly Member Cogdill was granted unanimous consent to take up Senate Bill No. 28 without reference to file, for purpose of consideration.

SENATE BILL NO. 28 (Poochigian)—An act relating to human remains, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—59

Aghazarian	Coto	Klehs	Parra
Arambula	DeVore	La Malfa	Plescia
Baca	Dymally	La Suer	Richman
Bass	Emmerson	Laird	Runner
Benoit	Evans	Leno	Ruskin
Berg	Frommer	Levine	Spitzer
Bermúdez	Garcia	Lieber	Strickland
Blakeslee	Gordon	Matthews	Torrico
Bogh	Harman	Maze	Tran
Calderon	Haynes	McCarthy	Vargas
Canciamilla	Horton, Shirley	Mountjoy	Villines
Chan	Houston	Mullin	Walters
Chavez	Huff	Nation	Wolk
Chu	Jones	Negrete McLeod	Yee
Cogdill	Keene	Niello	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—59

Aghazarian	Coto	Klehs	Parra
Arambula	DeVore	La Malfa	Plescia
Baca	Dymally	La Suer	Richman
Bass	Emmerson	Laird	Runner
Benoit	Evans	Leno	Ruskin
Berg	Frommer	Levine	Spitzer
Bermúdez	Garcia	Lieber	Strickland
Blakeslee	Gordon	Matthews	Torrico
Bogh	Harman	Maze	Tran
Calderon	Haynes	McCarthy	Vargas
Canciamilla	Horton, Shirley	Mountjoy	Villines
Chan	Houston	Mullin	Walters
Chavez	Huff	Nation	Wolk
Chu	Jones	Negrete McLeod	Yee
Cogdill	Keene	Niello	

NOES—None

Bill ordered transmitted to the Senate immediately.

ADJOURN IN MEMORY

Assembly Members La Malfa and Chavez were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lance Corporal Steve P. Johnson, of Covina.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Dustin Shumney, of Benicia.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maureen Martinez, of Highland and Leonard Romero, of Fontana.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Judge John B. Cechini, of Stockton.

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bonnie Meyer, of Lodi.

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Nadine Kerner, of Sherman Oaks.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Glen Robinson, of Mill Valley.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert J. Considine, of Arcadia.

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 Mary Lee Owen, of Monarch Beach.

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Melva Bayles, of Biggs.

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Scott McKeown, of Moorpark and Julia Bennett and James Tutino, of Simi Valley.

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 Mozena Dodd Wilburn, of Benicia; Frances W. Franck, James W. Givens, Leonard B. Ryall, and Teresa C. Wright, of Davis; Linda Jeanne Owens, of Fairfield; Loyd Edward Stage, of Suisun City; Thomas Martin Allsup, and Merl E. Martin, of Vacaville; Antoinette Marie Casari, Carl F. Holmes, Virgil Joseph King, Rose Lara, Daisy Irene Lee, Tyson Andrew Miller, and Nancy Karen Orr, of Woodland.

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lorna Fluegel, of Merced and Marguerite Steven, of Sacramento.

VOTE ADDS

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

Resolution to Invoke Constitution: Villines—Aye.

Senate Bill No. 28 and Urgency: Strickland and Villines—Aye.

MOTION TO ADJOURN

At 11:26 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:27 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 199—Tran. An act to amend Section 7073 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 200—Leslie. An act to add Section 399.17 to the Public Utilities Code, relating to renewable energy resources.

ASSEMBLY BILL NO. 201—Dymally. An act to add Section 14087.34 to the Welfare and Institutions Code, relating to health care.

ASSEMBLY BILL NO. 202—Harman. An act to amend Section 1281.2 of the Code of Civil Procedure, relating to arbitration.

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

ASSEMBLY BILL NO. 204—Harman. An act to amend Section 10172.5 of the Insurance Code, relating to life insurance.

ASSEMBLY BILL NO. 205—Ruskin. An act to amend Section 1706 of the Business and Professions Code, relating to dentistry.

ASSEMBLY BILL NO. 206—Haynes and Levine. An act to amend Section 5060 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 207—Dymally. An act to add Chapter 2.5 (commencing with Section 23038) to Division 10 of the Financial Code, relating to deferred deposit transactions.

ASSEMBLY BILL NO. 208—Gordon and Parra (Coauthors: Bermudez, Chavez, Shirley Horton, and Walters). An act to amend Section 48306 of the Education Code, relating to school districts.

ASSEMBLY BILL NO. 209—Plescia. An act to amend Section 132001 of the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 210—Vargas. An act to amend Section 12962 of the Insurance Code, relating to the Insurance Commissioner.

ASSEMBLY BILL NO. 211—Cohn. An act to amend Section 8592.4 of the Government Code, relating to public safety.

ASSEMBLY BILL NO. 212—DeVore. An act to add Section 6401 to the Penal Code, relating to prisons.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 11—Dymally. Relative to the Public Employees' Retirement System.

ASSEMBLY JOINT RESOLUTION NO. 5—Oropeza. Relative to corporate average fuel economy standards.

MESSAGES FROM THE SENATE

Senate Chamber, January 31, 2005

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

Senate Concurrent Resolution No. 4

Senate Concurrent Resolution No. 9

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

FIRST READING OF SENATE BILLS

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 4—Relative to public health awareness.

SENATE CONCURRENT RESOLUTION NO. 9—Relative to heart disease.

ADJOURNMENT

At 4 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 9:30 a.m., Thursday, February 3, 2005, out of respect to the memory of Lance Corporal Steve P. Johnson, on motion of Assembly Members La Malfa and Chavez; out of respect to the memory of Maureen Martinez and Leonard Romero, on motion of Assembly Member Baca; out of respect to the memory of Dustin Shumney, on motion of Assembly Member Wolk; out of respect to the memory of Judge John B. Cechini, on motion of Assembly Member Aghazarian; out of respect to the memory of Bonnie Meyer, on motion of Assembly Member Chavez; out of respect to the memory of Nadine Kerner, on motion of Assembly Member Levine; out of respect to the memory of Glen Robinson, on motion of Assembly Member Nation; out of respect to the memory of Robert J. Considine, on motion of Assembly Member Mountjoy; out of respect to the memory of Mary Lee Owen, on motion of Assembly Member Walters; out of respect to the memory of Melva Bayles, on motion of Assembly Member La Malfa; out of respect to the memory of Scott McKeown, Julia Bennett and James Tutino, on motion of Assembly Member Strickland; out of respect to the memory of Mozena Dodd Wilburn, Frances W. Franck, James W. Givens, Leonard B. Ryall, Teresa C. Wright, Linda Jeanne Owens, Loyd Edward Stage, Thomas Martin Allsup, Merl E. Martin, Antoinette Marie Casari, Carl F. Holmes, Virgil Joseph King, Rose Lara, Daisy Irene Lee, Tyson Andrew Miller, and Nancy Karen Orr, on motion of Assembly Member Wolk; and out of respect to the memory of Lorna Fluegel and Marguerite Steven, on motion of Assembly Member Jones.

LELAND Y. YEE, Speaker pro Tempore

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 3, 2005
NINETEENTH SESSION DAY
SIXTIETH 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
Thursday, February 3, 2005

The Assembly met at 9:30 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Maze moved a quorum call of 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 9:34 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—69:

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

PRAYER

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

Lord, It seems at times that there is nothing a good person can do when everything falls apart. But when we remember that You have Your throne in heaven and that You watch people everywhere and know what they are doing, we are assured that even in the face of failure You can be our help. You are a righteous God and You love good deeds. So even when it may seem like everything is falling apart, help us to seek to do good, so that we will always live in Your presence.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Leslie, Ridley-Thomas, and Saldaña.

On personal business, and waiving per diem: Assembly Members Keene and Liu.

Because of illness: Assembly Members Bermúdez, Evans, Nation, Negrete McLeod, Oropeza, and Wyland.

EXPLANATIONS OF ABSENCE

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

January 18, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219*

Dear Mr. Speaker: I am requesting approval to be absent from Floor Session on February 3, 2005 due to legislative business.

I will be in Washington D.C. for critical meetings regarding my district with Members of the House of Representatives and the U.S. Senate. I will also be attending a meeting with President Bush.

Thank you for your consideration and if you have any questions, please contact my office at (916) 319-2004.

Sincerely,

TIM LESLIE, Assembly Member
Fourth District

January 26, 2005

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

Dear Mr. Speaker: I write to request permission to be excused from Session on Thursday, February 3. 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

January 27, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from floor session on Thursday, February 3, 2005. I will be in my district conducting legislative business.

Sincerely,

LORI SALDAÑA, Assembly Member
 Seventy-sixth District

COMMUNICATIONS

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

February 2, 2005

Ms. Clarenca Stephen
MedImmune, Inc.
1 MedImmune Way
Gaithersburg, Maryland

Dear Ms. Stephen: On behalf of the California State Legislature, we are very pleased to accept your generous gift to the Legislature. The flu clinic is to be held on Wednesday, February 2, 2005 in the State Capitol building. The clinic will be available to all legislative staff and to all Capitol employees as well as to any member of the public who wishes to participate.

In accordance with the Ethics in Government Act, the Senate and Assembly Rules Committees are required to send this letter to you as formal acceptance of the gift for use by the Senate and Assembly as a public agency. Also, in accordance with the Act, a public file regarding this gift is available in the Secretary of the Senate office and the Assembly Rules Committee office. It is our understanding that the staff

who will administer the dose are volunteer nurses. This is our formal acceptance of the gift and our acknowledgement of the value (\$79,200) of the FluMist dose and various incidental items.

Again, we are deeply grateful to you for your gift.

Sincerely,

GREG SCHMIDT
Secretary of the Senate

JON WALDIE
Assembly Chief Administrative
Officer

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
18 -----	Rev. & Tax. and L. Gov.
159 -----	L. Gov.
174 -----	L. Gov. and Jud.
179 -----	Hum. S. and Aging & L.T.C.
190 -----	Rev. & Tax.
192 -----	Jud.
193 -----	W.,P. & W. and B. & P.
194 -----	L. Gov.
196 -----	Higher Ed.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
6 -----	Ed.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
4 -----	Rev. & Tax.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
6 -----	Rls.
9 -----	Rls.

SPECIAL COMMITTEE MEETINGS

Assembly Member Frommer was granted unanimous consent that the Committee on Rules be permitted to hold a special meeting at this time, in the Tom Bane Rules Committee Room, for the purpose of setting Senate Concurrent Resolution No. 9 for hearing.

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

Revenue and Taxation, on Monday, February 7, 2005, at 1:30 p.m., in Room 126.

RECESS

By unanimous consent, at 9:38 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 9:45 a.m., the Assembly reconvened.

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

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: February 3, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 9

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Date of Hearing: February 3, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 9

House Resolution No. 5

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

**SENATE CONCURRENT RESOLUTION NO. 9 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Montañez was granted unanimous consent to take up Senate Concurrent Resolution No. 9 without reference to file, for purpose of consideration.

SENATE CONCURRENT RESOLUTION NO. 9 (Keheo)—Relative to heart disease.

Resolution read.

Members Made Coauthors of Senate Concurrent Resolution No. 9

Assembly Member Montañez was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 9.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Blakeslee, Bogh, Calderon, Canciamilla, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Frommer, Garcia, Goldberg, Gordon, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jones, Karnette, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Levine, Lieber, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nava, Niello, Núñez, Parra, Pavley, Plescia, Richman, Runner, Ruskin, Salinas, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member Montañez was granted unanimous consent to take up Senate Concurrent Resolution No. 9, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 9, as Amended

SENATE CONCURRENT RESOLUTION NO. 9—Relative to heart disease.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

SPECIAL RECOGNITION

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

ANNOUNCEMENTS

Speaker pro Tempore Yee announced that the Joint Legislative Audit Committee hearing scheduled for today has been postponed until Tuesday, February 22, 2005, upon adjournment of Floor Session.

ADJOURN IN MEMORY

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rosamond Bolden, of Richmond.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY**Moment of Silence Observed**

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 the victims of Auschwitz, in honor of the 60th anniversary of the concentration camp's liberation, and that the Assembly observe a moment of silence in their honor.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Tran was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Paul Berger, of Fountain Valley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 LCpl. Joseph Spence, of Scotts Valley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Mullin and Ruskin were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Susan Jean Caldwell and Nina Garrison, of South San Francisco.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member DeVore was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lieutenant Commander Keith E. Taylor, of Irvine.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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

Assembly Member Nakanishi was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Shigeya Kihara, of Monterey.

Assembly Member Parra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jessica Govea Thorbourne, of Bakersfield.

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pfc. Kevin M. Luna, of Oxnard.

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 James E. Mizell, II, of Rancho Santa Margarita.

Assembly Member Umberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Paul Berger, of Costa Mesa.

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 Deborah S. Matheson, Naum J. Phleger, and Allan M. Reinhart, of Davis; Albert Bishop, Priscilla Hibbs Cerveri, and Lynn Diann Dugoni, of Fairfield; Ambrose Mickey Reguera, of Vacaville; Duane Carlyn Coe, of West Sacramento; Doris Anne Barker, Frieda Wineva Buchholz, Michael Gary Clark, and Glenna B. Sorenson, of Woodland.

VOTE ADDS

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

Senate Concurrent Resolution No. 9, Coauthors: De La Torre, Houston, and Umberg—Aye.

MOTION TO ADJOURN

At 10:04 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:05 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 213—Liu. An act to add Section 1367.666 to the Health and Safety Code, and to add Section 10123.175 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 214—Richman. An act to add Section 20037.1 to the Government Code, relating to retirement benefits.

ASSEMBLY BILL NO. 215—Oropeza. An act to amend Section 13307 of, and to add Section 9093.5 to, the Elections Code, relating to elections.

ASSEMBLY BILL NO. 216—Oropeza. An act to amend Section 12241 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 217—Vargas. An act to add Article 6.5 (commencing with Section 1312) to Chapter 2 of Division 2 of the Health and Safety Code, relating to sex offenders.

ASSEMBLY BILL NO. 218—Maze. An act to add and repeal Section 17053.19 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 219—Nakanishi. An act to add Section 12812 to the Government Code, relating to state agencies.

ASSEMBLY BILL NO. 220—Committee on Public Safety (Leno (Chair), Cohn, Dymally, Goldberg, Ruskin, and Spitzer). An act to amend Sections 4801, 5075.5, and 13823.9 of the Penal Code, to amend Section 3030 of the Family Code, and to amend Section 340.3 of the Code of Civil Procedure, relating to domestic violence.

ASSEMBLY BILL NO. 221—Bogh. An act to add Section 2933.7 to the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 222—Bogh. An act to amend Sections 17250.30 and 81704 of the Education Code, to amend Section 6531 of, and to repeal Section 61620.1 of, the Government Code, to add Section 1771.3 to, and to repeal Sections 1771.5, 1771.7, 1771.8, and 1771.9 of, the Labor Code, and to amend Sections 20133, 20175.1, 20209.7, and 20919.3 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 223—Negrete McLeod (Coauthors: Shirley Horton, Matthews, and Maze). An act to amend Section 10170.5 of the Business and Professions Code, relating to real estate.

ASSEMBLY BILL NO. 224—Negrete McLeod. An act to amend Sections 20352, 20638, 31453, 31461.3, 31700, 31831, 31831.2, 31833, 31834, 31835, and 31837 of, and to repeal Sections 20355, 20356, 31835.02, 31837.1, 31840.4, 31840.15, 31840.6, and 31840.7 of, the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 225—Negrete McLeod. An act to amend Section 650 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 226—Negrete McLeod. An act to amend Section 473.4 of the Business and Professions Code, relating to regulatory programs.

ASSEMBLY BILL NO. 227—Daucher. An act to add Section 4656.5 to the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 228—Koretz (Principal coauthor: Pavley) (Coauthors: Goldberg, Laird, Leno, and Lieber) (Coauthor: Senator Kuehl). An act to add Section 1374.17 to the Health and Safety Code, and to add Section 10123.21 to the Insurance Code, relating to health care coverage.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 12—Chavez. Relative to California Museum Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 13—Wolk and Koretz (Coauthors: Canciamilla, Chan, Chavez, Cohn, Hancock, Shirley Horton, Huff, Jones, Maze, Nakanishi, Niello, Pavley, Salinas, Spitzer, Umberg, and Yee) (Coauthors: Senators Bowen, Chesbro, Kuehl, Scott, and Soto). Relative to Spay Day USA 2005.

ASSEMBLY JOINT RESOLUTION NO. 6—Koretz. Relative to Darfur.

AUTHOR'S AMENDMENTS
Committee on Public Safety

February 3, 2005

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

Assembly Bill No. 35

Assembly Bill No. 59

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

LENO, Chair

ASSEMBLY BILL NO. 35—An act to amend Section 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.

ASSEMBLY BILL NO. 59—An act to add Section 273.55 to the Penal Code, relating to domestic violence.

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

AUTHOR'S AMENDMENTS
Committee on Health

February 3, 2005

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

Senate Bill No. 29

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

CHAN, Chair

SENATE BILL NO. 29—An act relating to public health, making an appropriation therefor, 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 Rules

February 3, 2005

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

Senate Concurrent Resolution No. 6

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

MONTAÑEZ, Chair

SENATE CONCURRENT RESOLUTION NO. 6—Relative to the 60th anniversary of the World War II invasion of the Island of Iwo Jima.

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

MESSAGES FROM THE SENATE

Senate Chamber, February 3, 2005

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

Senate Bill No. 16

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

Senate Chamber, February 3, 2005

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

Senate Concurrent Resolution No. 2

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. 16—An act to repeal and add Section 803 of the Penal Code, relating to criminal procedure, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 2—Relative to Arts Education Month.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 12 p.m., Monday, February 7, 2005, out of respect to the memory of Rosamond Bolden, on motion of Assembly Member Dymally; out of respect to the memory of victims of Auschwitz, on motion of Assembly Member Koretz; out of respect to the memory of Dr. Paul Berger, on motion of Assembly Member Tran; out of respect to the memory of Lance Corporal Joseph Spence, on motion of Assembly Member Laird; out of respect to the memory of Susan Jean Caldwell and Nina Garrison, on motion of Assembly Members Mullin and Ruskin; out of respect to the memory of Stan Warren, on motion of Assembly Member Leno; out of respect to the memory of Lieutenant Commander Keith E. Taylor, on motion of Assembly Member DeVore; out of respect to the memory of Shigeya Kihara, on motion of Assembly Member Nakanishi; out of respect to the memory of Jessica Govea Thorbourne, on motion of Assembly Member Parra; out of respect to the memory of Pfc. Kevin M. Luna, on motion of Assembly Member Pavley; out of respect to the memory of James E. Mizell, II, on motion of Assembly Member Spitzer; out of respect to the memory of Paul Berger, on motion of Assembly Member Umberg; out of respect to the memory of Deborah S. Matheson, Naum J. Phleger, Allan M. Reinhart, Albert Bishop, Priscilla Hibbs Cerveri, Lynn Diann Dugoni, Ambrose Mickey Reguera, Duane Carlyn Coe, Doris Anne Barker, Frieda Wineva Buchholz, Michael Gary Clark, and Glenna B. Sorenson, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 3, 2005**

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

AB RN

35 0507885

59 0506797

SB RN

29 0508328

SCR RN

6 0508363

Daily Total: 4**Cumulative Total: 7**

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 7, 2005
TWENTIETH SESSION DAY
SIXTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 7, 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 Mountjoy moved a quorum call of 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 12:04 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	Laird	Ridley-Thomas
Arambula	Emmerson	Leno	Runner
Baca	Evans	Leslie	Ruskin
Bass	Frommer	Levine	Saldaña
Benoit	Garcia	Lieber	Salinas
Berg	Goldberg	Liu	Spitzer
Bermúdez	Gordon	Matthews	Strickland
Blakeslee	Hancock	Maze	Torrigo
Bogh	Harman	McCarthy	Tran
Calderon	Haynes	Montañez	Umberg
Canciamilla	Horton, Shirley	Mountjoy	Vargas
Chan	Houston	Mullin	Villines
Chavez	Huff	Nakanishi	Walters
Chu	Jones	Nava	Wolk
Cogdill	Karnette	Negrete McLeod	Wyland
Cohn	Keene	Niello	Yee
Coto	Klehs	Oropeza	Mr. Speaker
Daucher	Koretz	Parra	
De La Torre	La Malfa	Pavley	
DeVore	La Suer	Plescia	

PRAYER

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

Lord, We gather in this Chamber to do the important work of the California Assembly. Yet as we work in the political world, we see at times that truth can be in short supply. At times, vague innuendo and spin seem to prevail. However, Your promises, Lord, can be trusted; they are as genuine as silver refined seven times. So we ask for Your protection as we work, Lord. Keep us always safe and preserve us from harm.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Nation and Richman.

Because of illness: Assembly Member Jerome E. Horton.

EXPLANATIONS OF ABSENCE

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

February 1, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Legislative Floor Session on Monday, February 7, 2005 due to legislative business.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

February 4, 2005

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

Dear Speaker Núñez: I respectfully request that I be absent from session February 7, 2005 due to legislative business in my district.

Thank you for your consideration in this matter. If you should have any questions, please call Connie in my Capitol office any time at 916-319-2038.

Sincerely,

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

COMMUNICATIONS

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

February 7, 2005

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

RE: Appointment of Dave Jones
to the Judicial Council of California

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Dave Jones to the Judicial Council of California. This is a pleasure appointment starting February 7, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 7, 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 made the following committee changes effective immediately:

I have appointed Assemblymember Sam Blakeslee to replace Assemblymember Dave Cogdill on the Budget Subcommittee No. 1 on Health and Human Services.

I have appointed Assemblymember Dave Cogdill to replace Assemblymember Sam Blakeslee on the Budget Subcommittee No. 3 on Resources.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 7, 2005

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

Dear Dotson: This to designate the following Assemblymembers as Democratic Assistant Whips for the 2005–06 Regular Session:

Assemblymember Hector De La Torre
 Assemblymember Lloyd Levine
 Assemblymember Gloria Negrete McLeod
 Assemblymember Fran Pavley
 Assemblymember Alberto Torrico

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

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

February 3, 2005

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

Dear Mr. Wilson: This letter is to officially announce that as of Monday, January 3, 2005, the new Assembly Republican Leadership team is as follows:

Kevin McCarthy—Assembly Republican Leader
 Russ Bogh—2nd Ranking Republican Leader/Caucus Chair
 Assistant Leader—Rick Keene
 Assistant Leader—Sharon Runner
 Assistant Leader—Ray Haynes
 Assistant Leader—Greg Aghazarian
 Assistant Leader—George Plescica
 Rules Vice Chair—Dave Cogdill
 Whips: Mike Villines
 John Benoit
 Doug La Malfa
 Todd Spitzer
 Mimi Walters
 Mark Wyland

If you have any questions regarding this letter, please contact Julie Sauls at 319-2032.

It is an honor working with you in the California State Assembly.

Sincerely,

KEVIN MCCARTHY
 Assembly Republican Leader

REPORTS

The following reports were presented by the Chief Clerk:

**Disabled Veterans Business Enterprise (DVBE)
Report for Fiscal Year 2003–2004**

Above transmitted report, together with letter of transmittal from Jane Henderson, Executive Director, California Children and Families Commission, dated December 31, 2004, referred by the Speaker to the Committee on Veterans Affairs.

**Disabled Veterans Business Enterprise (DVBE)
Report for Fiscal Year 2003–2004**

Above transmitted report, together with letter of transmittal from Leslie Muse, Administration, San Francisco Bay Conservation and Development Commission, dated January 27, 2005, referred by the Speaker to the Committee on Veterans Affairs.

**Litigation Deposit Fund (0920)
Statement of Fund Balance—for Quarter Ending December 31, 2004
(Pursuant to Government Code Section 16427(f))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated January 25, 2005, referred by the Speaker to the Committee on Budget.

**Work Plan 2005 Report
(Pursuant to Public Utilities Code Section 321.6 and 321.7)**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated January 28, 2005, referred by the Speaker to the Committee on Utilities and Commerce.

**2003–04 Emergency Medical Services Fund (EMS) Report
(Pursuant To Health and Safety Code Section 1797.98a) from:**

Santa Clara Valley, Health and Hospital System, Hope Ryan, Enterprise Fund and VHP Budget Manager, dated January 21, 2004.

Referred by the Speaker to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 7, 2005

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

Assembly Bill No. 35

Assembly Bill No. 59

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, February 7, 2005

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

Assembly Concurrent Resolution No. 9

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
160 -----	Trans. and V.A.
195 -----	Jud.
197 -----	H. & C.D. and Jud.
199 -----	J., E.D. & E.
200 -----	U. & C. and Nat. Res.
202 -----	Jud.
203 -----	G.O.
205 -----	B. & P.
206 -----	Trans.
207 -----	B. & F. and B. & P.
208 -----	Ed.
210 -----	Ins.
211 -----	G.O.
212 -----	Pub. S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
11 -----	P.E.,R. & S.S.

Assembly Joint

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

Senate

<i>Bill No.</i>	<i>Committee</i>
16 -----	Pub. S.

CAUCUS ANNOUNCEMENTS

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

At 12:07 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 12:07 p.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 12:39 p.m., the Assembly reconvened.
Hon. Fabian Núñez, Speaker of the Assembly, presiding.

ANNOUNCEMENTS

Speaker Núñez announced that he has created the following committees and appointed membership, in addition to the Rules Committee, which was created previously, for the 2005–06 First Extraordinary Session: Budget Process Committee, Constitutional Amendments Committee, District Representation Committee, Education Finance and the Teaching Profession Committee, and Ways and Means Committee. First Extraordinary Session committees will begin convening on February 28, 2005.

At 12:43 p.m., Speaker pro Tempore Yee, 12th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY CONCURRENT RESOLUTION NO. 9 (Oropeza)—Relative to California Girls and Women in Sports Day.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 9**

Assembly Member Oropeza was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 9.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Gordon, 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, Nava, Negrete McLeod, Niello, Núñez, Parra, Pavley, Plescia, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Oropeza was granted unanimous consent to take up Assembly Concurrent Resolution No. 9, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 9, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 9—Relative to California Girls and Women in Sports Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

SPECIAL COMMITTEE MEETINGS

Assembly Member Laird was granted unanimous consent that the Committee on Budget be permitted to hold a special meeting on Tuesday, February 15, 2005, at 10 a.m., for the purpose of setting the impact of the Federal Budget on California for hearing.

By unanimous consent, the following committees were permitted to meet:

Public Safety, on Friday, February 11, 2005, upon adjournment of Floor Session;

Governmental Organization, on Wednesday, February 16, 2005, at 1:30 p.m., in Room 4202;

Higher Education, on Tuesday, February 22, 2005, at 1:30 p.m.

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

HOUSE RESOLUTION NO. 5 (Chu)—Relative to Lunar New Year Celebration.
Resolution read.

Members Made Coauthors of House Resolution No. 5

Assembly Member Chu was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 5.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chavez, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Gordon, Hancock, Harman, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Lieber, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Umberg, Vargas, Villines, Walters, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Chu was granted unanimous consent to take up House Resolution No. 5, as amended, without reference to print or file.

Consideration of House Resolution No. 5, as Amended

HOUSE RESOLUTION NO. 5—Relative to Lunar New Year Celebration.
Resolution read, as amended, and adopted.

ADJOURN IN MEMORY

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

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Judge Charles Thomas, of Eureka and Jeanette Stroh, of Potter Valley.

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 Alice Marilyn Alexander, of Santa Rosa and Joame Marcos, of Vallejo.

Assembly Members Evans and Berg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Luigi Di Ruocco, of Occidental.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Karl Linn and Jules Seitz, of Berkeley.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hector Cornejo, Jr., of Dublin and Keith Smallwood Fraser, of Livermore.

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 Jack Hillis, of Santa Cruz.

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 Lacy A. Spake, Jr., of Pacific Grove.

Assembly Member Nava was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Silverio Lorenzana Jr., of Ventura.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Vern Hitchcock, of Lancaster and David Ensign, of Palmdale.

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 Don Demers, of Fresno.

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 Mildred Robben, of Dixon; Darwin Charles Thompson, of Fairfield; Mary Lora Clark and James Wayne Hightower, of Winters; and Kenneth Ray Stephens, of Woodland.

MOTION TO ADJOURN

At 12:59 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:59 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 229—Tran. An act to amend Section 4616.3 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 230—Shirley Horton. An act to amend Sections 9542 and 9545 of the Welfare and Institutions Code, relating to aging.

ASSEMBLY BILL NO. 231—Sharon Runner. An act to amend Section 5001 of the Penal Code, relating to the Department of Corrections.

ASSEMBLY BILL NO. 232—Arambula and Jerome Horton. An act relating to community colleges, and making an appropriation therefor.

ASSEMBLY BILL NO. 233—Haynes. An act to amend and repeal Section 11251.3 of the Welfare and Institutions Code, relating to CalWORKs.

ASSEMBLY BILL NO. 234—Haynes. An act to repeal Chapter 3.5 (commencing with Section 10200) of Part 1 of Division 3 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 235—Haynes. An act to amend Section 8262 of the Education Code, relating to child care and development.

ASSEMBLY BILL NO. 236—Bermudez. An act to add and repeal Section 6357.7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 237—Arambula. An act to amend Section 50517.5 of the Health and Safety Code, relating to housing, declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 238—Harman. An act to amend Section 3440.1 of the Civil Code, relating to fraudulent transfers.

ASSEMBLY BILL NO. 239—Jerome Horton. An act to add Section 12025 to the Government Code, relating to the Governor's Budget.

ASSEMBLY BILL NO. 240—Bermudez. An act to add Section 290.2 to the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 241—Harman. An act to amend Section 1107.5 of, and to add Sections 6020.5, 8020.5, 12550.5, 15678.10, 16915.5, and 17554.5 to, the Corporations Code, relating to business entities.

ASSEMBLY BILL NO. 242—Vargas. An act to amend Sections 826, 12340.5, 12389, and 12389.1 of, and to add Sections 12389.7 and 12389.8 to, the Insurance Code, relating to underwritten title companies.

ASSEMBLY BILL NO. 243—Vargas. An act to amend Section 10113.2 of the Insurance Code, relating to life insurance.

ASSEMBLY BILL NO. 244—Walters. An act to amend Section 17002 of the Revenue and Taxation Code, relating to taxation.

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

ASSEMBLY BILL NO. 246—Walters. An act to add Section 805.1 to the Penal Code, relating to the limitation of actions.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 14—DeVore (Coauthors: Aghazarian, Benoit, Blakeslee, Bogh, Cogdill, Daucher, Emmerson, Garcia, Harman, Haynes, Shirley Horton, Houston, Huff, Jones, Keene, Klehs, La Malfa, La Suer, Leslie, Matthews, Maze, McCarthy, Mullin, Nakanishi, Nava, Negrete McLeod, Niello, Plescia, Sharon Runner, Ruskin, Spitzer, Strickland, Tran, Villines, Walters, and Wyland. Relative to the recent election in Ukraine.

AUTHOR'S AMENDMENTS Committee on Transportation

February 7, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 26

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

OROPEZA, Chair

ASSEMBLY BILL NO. 26—An act to amend Section 1810.2 of the Vehicle Code, relating to vehicles, 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 Transportation

February 7, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 84

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

OROPEZA, Chair

ASSEMBLY BILL NO. 84—An act to add Section 5076 to the Vehicle Code, relating to vehicles.

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

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: February 7, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 10

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Date of Hearing: February 7, 2005

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 6

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

INTRODUCTION OF GUESTS

Assembly Member Oropeza, of the 55th Assembly District, introduced Natomas Twisters and California Girl Scouts.

Assembly Member Gordon, of the 53rd Assembly District, introduced John Jacobs, Medal of Honor recipient, Steven Rosmarin, Odas Flakes, and Alvin Selnick.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, February 8, 2005, out of respect to the memory of Sidney Heyman, on motion of Assembly Member Wyland; out of respect to the memory of Judge Charles Thomas and Jeanette Stroh, on motion of Assembly Member Berg; out of respect to the memory of Alice Marilyn Alexander and Joame Marcos, on motion of Assembly Member Evans; out of respect to the memory of Luigi Di Ruocco, on motion of Assembly Members Evans and Berg; out of respect to the memory of Karl Linn and Jules Seitz, on motion of Assembly Member Hancock; out of respect to the memory of Hector Cornejo, Jr. and Keith Smallwood Fraser, on motion of Assembly Member Houston; out of respect to the memory of Jack Hillis, on motion of Assembly Member Laird; out of respect to the memory of Lacy A. Spake, Jr., on motion of Assembly Member Leslie; out of respect to the memory of John Silverio Lorenzana Jr., on motion of Assembly Member Nava; out of respect to the memory of Vern Hitchcock and David Ensign, on motion of Assembly Member Runner; out of respect to the memory of Don Demers, on motion of Assembly Member Villines; and out of respect to the memory of Mildred Robben, Darwin Charles Thompson, Mary Lora Clark, James Wayne Hightower, and Kenneth Ray Stephens, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 7, 2005**

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

AB RN

26 0502704

84 0508261

Daily Total: 2

Cumulative Total: 9

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 8, 2005
TWENTY-FIRST SESSION DAY
SIXTY-FIFTH 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, February 8, 2005

The Assembly met at 7 a.m.

Hon. Barbara Matthews, Assembly Member, 17th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

At 1:10 p.m., Hon. Rudy Bermúdez, 56th 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 Maze and Richman.

On personal business, and waiving per diem: Assembly Member Nation.

Because of illness: Assembly Member Jerome E. Horton.

EXPLANATIONS OF ABSENCE

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

February 7, 2005

*Speaker Fabian Núñez
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez,

I respectfully request your permission to be excused from Check-In for legislative business on Tuesday, February 8, 2005 in Tulare County on District business. I will be attending the Tulare County Farm Show and will return to the Capitol early the following morning.

As you know, the Tulare County Farm Show is a significant event at which my attendance is necessary.

Please contact my office with any questions. Thank you in advance for your consideration of my request.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

February 8, 2005

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

Dear Speaker Núñez: I respectfully request that I be absent February 8, 2005, due to legislative business in my district.

Thank you for your consideration in this matter. If you should have any questions, please call Connie in my Capitol office any time at 916-319-2038.

Sincerely,

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

COMMUNICATIONS

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

February 2, 2005

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

Dear Speaker Núñez: The Senate Rules Committee has appointed Senator Ortiz as a member of the Joint Legislative Audit Committee to replace Senator Murray.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

PROPOSED INITIATIVES

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 3, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

Reapportionment.

Initiative Constitutional Amendment. SA 2004RF0037, Amdt. #1-NS

Referred by the Speaker to the Committee on Elections and Reapportionment.

REPORTS

The following reports were presented by the Chief Clerk:

Disabled Veterans Business Enterprise Report 2003–04 (Pursuant to Military and Veterans Code Section 999.7)

Above transmitted report, together with letter of transmittal from Lucetta Dunn, Director, Department of Housing and Community Development, dated January 26, 2005, referred by the Speaker to the Committee on Veterans Affairs.

Jenkins Act Compliance and Enforcement Report (Pursuant to Revenue and Taxation Code Section 30101.7(g))

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated January 25, 2005, referred by the Speaker to the Committee on Revenue and Taxation.

Report on Legislation Enacted in 2004 with State-Mandated Local Program Implications (Pursuant to Government Code Sections 17562(e)(3))

Above transmitted report, together with letter of transmittal from Stephen W. Kessler, Deputy Director, Department of Finance, dated February 4, 2005, referred by the Speaker to the Committee on Local Government.

Annual Report of Exemptions from the Bidding Process Due to Unexpected Causes January 1, 2004 through December 31, 2004 (Pursuant to Public Contract Code Section 10722)

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated January 28, 2005, referred by the Speaker to the Committee on Budget.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Natural Resources to convene jointly with Environmental Safety and Toxic Materials, Water, Parks and Wildlife, and Budget Subcommittee No. 3 on Resources and Senate Committees on Environmental Quality and Natural Resources and Senate Budget and Fiscal Review Subcommittee No. 2 on Resources, Environmental Protection and Energy, on Wednesday, March 2, 2005.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 8, 2005

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

Assembly Bill No. 26

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 8, 2005

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

Assembly Concurrent Resolution No. 10

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 247—Walters. An act to add Section 17053.51 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 248—Tran. An act to amend Sections 3439.08 and 3439.09 of the Civil Code, relating to fraudulent transfers, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 249—DeVore and Walters. An act to amend Section 19582.5 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 250—Matthews. An act to relating to counties, and making an appropriation therefor.

ASSEMBLY BILL NO. 251—Haynes. An act to add Chapter 12.9 (commencing with Section 7090) to Division 7 of Title 2 of the Government Code, and to amend Sections 17039 and 23036 of, to add Sections 17052.77 and 23677 to, and to add and repeal Sections 17053.93 and 23693 of, the Revenue and Taxation Code, relating to economic development.

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

ASSEMBLY BILL NO. 253—Aghazarian. An act to amend Section 273a of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 254—Nakanishi (Coauthor: Salinas). An act to amend Section 1797.196 of the Health and Safety Code, relating to emergency medical services.

ASSEMBLY BILL NO. 255—Chavez. An act to add Article 4 (commencing with Section 343) to Chapter 5 of Part 1 of Division 2 of the Military and Veterans Code, relating to military benefits, and making an appropriation therefor.

ASSEMBLY BILL NO. 256—De La Torre. An act relating to public employees' health care.

ASSEMBLY BILL NO. 257—Matthews. An act to add Section 14043.375 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 258—Matthews. An act to add Section 14105.485 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 259—Hancock. An act to add Section 25847 to the Government Code, relating to solid waste collection liens.

ASSEMBLY BILL NO. 260—Bermudez. An act to amend Section 13110.5 of the Health and Safety Code, relating to fire protection.

ASSEMBLY BILL NO. 261—Koretz. An act relating to economic development.

ASSEMBLY BILL NO. 262—Berg. An act to add Section 70324 to the Government Code, relating to courts.

ASSEMBLY BILL NO. 263—Chan. An act to amend Section 108921 of, and to add Section 108921.5 to, the Health and Safety Code, relating to toxic chemicals.

ASSEMBLY BILL NO. 264—Chan. An act to add Sections 49413.5 and 49416 to the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 265—Haynes. An act to add Section 3047 to the Family Code, relating to child custody.

ASSEMBLY BILL NO. 266—DeVore (Coauthors: Blakeslee and Walters). An act to amend Section 1597.46 of the Health and Safety Code, relating to child day care.

ASSEMBLY BILL NO. 267—Daucher. An act to amend Section 14529.17 of the Government Code, relating to transportation.

ASSEMBLY BILL NO. 268—Matthews. An act to amend Section 810 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 269—Haynes. An act to repeal Section 11327.4 of, and to repeal and add Section 11327.5 of, the Welfare and Institutions Code, relating to public social services.

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

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

REPORTS OF STANDING COMMITTEES

Committee on Health

Date of Hearing: February 8, 2005

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 29

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

CHAN, Chair

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 9, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 9, 2005
TWENTY-SECOND SESSION DAY
SIXTY-SIXTH 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
Wednesday, February 9, 2005

The Assembly met at 7 a.m.

Hon. Dennis Mountjoy, Assembly Member, 59th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

At 1:49 p.m., Hon. Jerome E. Horton, 51st 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 Spitzer and Umberg.

On legislative business, and waiving per diem: Assembly Member Hancock.

Because of illness: Assembly Member Cohn.

EXPLANATIONS OF ABSENCE

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

January 5, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
Room 219, State Capitol*

Dear Mr. Speaker: I respectfully request an excused absence, on legislative business, waiving per diem, from Check-in Sessions on February 9 and 10, and Session on February 11, 2005. I have been invited to participate in a conference in Racine, Wisconsin: the "New Cities Project," sponsored by the Center on Wisconsin Strategy and The Johnson Foundation. The conference is to improve the leadership of progressive mayors in the United States in the areas of housing and transportation, economic and workforce development, partnerships with business, and federal fiscal policy.

This will be a small group of progressive mayors from across the country, and I would be happy to report back to the Caucus on the findings and future plans coming from the conference.

Sincerely,

LONI HANCOCK, Assembly Member
Fourteenth District

February 3, 2005

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

Dear Mr. Speaker: I would like to be excused from session on Wednesday and Thursday, February 9 and 10, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

February 3, 2005

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

Dear Speaker Núñez,

I respectfully request to be excused from session on Wednesday, February 9 so that I may be in my district on legislative business.

If you have any questions or concerns about this request, please contact Diane Pugh of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member
Sixty-ninth District

COMMUNICATIONS

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

February 10, 2005

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

Dear Dotson: This is to advise you that I appointed Assemblymember Gene Mullin to replace Assemblymember Joe Coto on the Assembly Rules Committee for the Friday, February 11 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 9, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Bill No. 84

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

SPECIAL COMMITTEE MEETINGS

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

Banking and Finance, on Tuesday, February 22, 2005, at 1:30 p.m., in Room 127.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 272—Matthews. An act to amend Section 830.1 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 273—Baca. An act to add Section 25621 to the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 274—Baca. An act to add Section 19991.12 to the Government Code, relating to public employees.

ASSEMBLY BILL NO. 275—Baca. An act to amend Section 11703 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 276—Baca. An act to amend Section 19775.18 of the Government Code, relating to state employees.

ASSEMBLY BILL NO. 277—Mountjoy. An act to amend and repeal Section 11126 of the Government Code, relating to open meetings.

ASSEMBLY BILL NO. 278—Bogh. An act to amend Sections 17538.5 and 22780 of the Business and Professions Code, relating to commercial mail receiving agencies.

ASSEMBLY BILL NO. 279—Calderon. An act to amend Section 16430 of the Government Code, relating to state investments.

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

ASSEMBLY BILL NO. 281—Liu. An act to amend Section 311.11 of the Penal Code, relating to child pornography.

ASSEMBLY BILL NO. 282—Benoit. An act to add Section 313.6 to the Penal Code, relating to crime.

ASSEMBLY BILL NO. 283—Koretz (Coauthor: Maze) (Coauthor: Senator Margett). An act to add Section 11100.01 to the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 284—Bermudez. An act to add Sections 19826.2 and 19827.4 to the Government Code, relating to state employees.

ASSEMBLY BILL NO. 285—Haynes. An act relating to economic development.

ASSEMBLY BILL NO. 286—Matthews. An act to add Section 21100.7 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 287—Negrete McLeod. An act to add Chapter 4.5 (commencing with Section 4350) to Part 2 of Division 4 of the Public Resources Code, relating to disaster response.

ASSEMBLY BILL NO. 288—Mountjoy. An act to amend Section 4076 of the Business and Professions Code, relating to pharmacies.

ASSEMBLY BILL NO. 289—Chan. An act to add Section 57013 to the Health and Safety Code, relating to hazardous chemicals.

ASSEMBLY BILL NO. 290—Leslie. An act to amend Section 116550 of the Health and Safety Code, relating to public water systems.

ASSEMBLY BILL NO. 291—Koretz. An act to add Section 123256 to the Health and Safety Code, relating to maternal health.

ASSEMBLY BILL NO. 292—Maze. An act to amend Section 17021.6 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 293—Maze. An act to amend Section 7195 of the Business and Professions Code, relating to home inspections.

ASSEMBLY BILL NO. 294—Blakeslee and DeVore. An act to add Section 343 to the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

ASSEMBLY BILL NO. 295—Chavez. An act to add Section 10382 to the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 296—Negrete McLeod. An act to amend Section 122415 of the Health and Safety Code, relating to hepatitis C.

ASSEMBLY BILL NO. 297—Yee. An act to amend Sections 19583.5 and 19583.51 of the Government Code, relating to state employees.

ASSEMBLY BILL NO. 298—Berg. An act to amend Section 17053.80 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 299—Maze. An act to amend Section 11165.9 of the Penal Code, and to amend Section 827 of the Welfare and Institutions Code, relating to juveniles.

ASSEMBLY BILL NO. 300—Walters. An act to amend Section 1569.3 of the Health and Safety Code, relating to residential care facilities.

ASSEMBLY BILL NO. 301—Committee on Business and Professions (Negrete McLeod (Chair), Shirley Horton (Vice Chair), Bass, Koretz, Maze, Nation, Tran, Vargas, and Yee). An act to amend Section 11011.15 of the Government Code, relating to state property.

ASSEMBLY BILL NO. 302—Committee on Business and Professions (Negrete McLeod (Chair), Shirley Horton (Vice Chair), Bass, Koretz, Maze, Nation, Tran, Vargas, and Yee). An act to add Section 10290.4 to the Public Contract Code, relating to state surplus personal property sales.

ASSEMBLY BILL NO. 303—Committee on Business and Professions (Negrete McLeod (Chair), Shirley Horton (Vice Chair), Bass, Koretz, Maze, Nation, Tran, Vargas, and Yee). An act to amend Sections 313 and 313.5 of the Business and Professions Code, relating to consumer affairs.

ASSEMBLY BILL NO. 304—Hancock. An act to add Section 19162.5 to the Health and Safety Code, relating to building standards.

ASSEMBLY BILL NO. 305—Mountjoy (Coauthors: Benoit, Haynes, Huff, La Suer, Maze, and Spitzer). An act to amend Sections 2800.1, 2800.2, 2800.3, and 40000.7 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 306—Baca. An act relating to prescription drugs.

ASSEMBLY BILL NO. 307—Chavez. An act to amend Section 52262 of the Education Code, relating to technology grants.

ASSEMBLY BILL NO. 308—Jerome Horton. An act to amend Section 594 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 309—Walters. An act relating to teacher credentialing.

AUTHOR'S AMENDMENTS

Committee on Elections and Redistricting

February 9, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Assembly Bill No. 16

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

UMBERG, Chair

ASSEMBLY BILL NO. 16—An act to add Section 85305.5 to the Government Code, relating to the Political Reform Act of 1974.

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.

ADJOURNMENT

At 3:55 p.m., the Assembly adjourned until 7 a.m., Thursday, February 10, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 9, 2005**

The following measure was amended in the Assembly on this day:

AB RN

16 0508380

Daily Total: 1

Cumulative Total: 10

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 10, 2005
TWENTY-THIRD SESSION DAY
SIXTY-SEVENTH 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
Thursday, February 10, 2005

The Assembly met at 7 a.m.
Hon. Dennis Mountjoy, Assembly Member, 59th District,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—72:

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

Quorum present.

At 10:26 a.m., Hon. Mark Wyland, 74th 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 Chavez, Houston, Spitzer, Torrico, and Umberg.

On legislative business, and waiving per diem: Assembly Member Hancock.

On personal business, and waiving per diem: Assembly Member Gordon.

Because of illness: Assembly Member Cohn.

EXPLANATIONS OF ABSENCE

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

February 8, 2005

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

Dear Speaker Núñez: I respectfully request permission to be excused from check-in session on Thursday, February 10, 2005. The purpose is to tend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

February 7, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Check-in Session on Thursday, February 10, 2005 due to constituent meetings in my district.

If you have any questions, please contact Anne Volz in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

February 4, 2005

Speaker Fabian Núñez
State Capitol, Room 219
Sacramento, California

Mr. Speaker: This letter is to request permission to be excused on legislative business in my district on Thursday, February 10, 2005.

Subsequently, I would like to ask to be excused from Check-In Session on Thursday, February 10, 2005.

Thank you for your consideration of my request.

Sincerely,

ALBERTO TORRICO, Assembly Member
Twentieth District

February 3, 2005

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

Dear Speaker Núñez,

I respectfully request to be excused from session on Thursday, February 10 so that I may be in my district on legislative business.

If you have any questions or concerns about this request, please contact Diane Pugh of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member
 Sixty-ninth District

(NOTE: For letter explaining the absence of Assembly Member Hancock on this day on legislative business, and waiving per diem, pursuant to the Assembly Rules, see Assembly Daily Journal for February 9, 2005; for letter explaining the absence of Assembly Member Spitzer on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 9, 2005.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 10, 2005

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

Assembly Bill No. 16

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 310—Umberg. An act to add Section 21354.2 to the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 311—Baca. An act relating to transportation, and making an appropriation therefor.

ASSEMBLY BILL NO. 312—Ruskin. An act to add Section 1985.8 to the Code of Civil Procedure, relating to medical records.

ASSEMBLY BILL NO. 313—Ruskin. An act to amend Section 14681.5 of the Government Code, relating to parole.

ASSEMBLY BILL NO. 314—Parra. An act to add Sections 1768.01, 1768.02, 1768.03, 1768.04, 1768.05, 1768.06, 1768.07, and 1768.08 to the Welfare and Institutions Code, relating to the Department of the Youth Authority.

ASSEMBLY BILL NO. 315—Hancock. An act to add Section 17077.36 to the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 316—Nakanishi. An act to amend Section 7005 of the Business and Professions Code, relating to contractors.

ASSEMBLY BILL NO. 317—Dymally. An act to amend Section 84752 of the Education Code, relating to community college finance.

ASSEMBLY BILL NO. 318—Dymally. An act to add Section 84754.5 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 319—Chan. An act to add Chapter 11 (commencing with Section 108935) and Chapter 12 (commencing with Section 108940) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

ASSEMBLY BILL NO. 320—Maze. An act to amend Section 11215 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 321—Maze. An act to amend Section 5890 of the Welfare and Institutions Code, relating to mental health.

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

ASSEMBLY BILL NO. 323—Gordon. An act to add Section 365.5 to the Code of Civil Procedure, relating to professional negligence.

ASSEMBLY BILL NO. 324—Mountjoy (Principal coauthor: Goldberg). An act to add Section 10007 to the Penal Code, relating to inmates.

ASSEMBLY BILL NO. 325—Aghazarian. An act to amend Section 49423 of the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 326—Blakeslee. An act to amend Section 270 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 327—De La Torre. An act to add Section 2435.2 to the Business and Professions Code, relating to physicians and surgeons, and making an appropriation therefor.

ASSEMBLY BILL NO. 328—DeVore and McCarthy (Coauthors: Cogdill, Keene, Tran, Walters, and Wyland). An act to add Section 5017 to the Public Resources Code, relating to state parks, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 329—DeVore and McCarthy (Coauthors: Cogdill, Keene, Tran, Walters, and Wyland). An act to add Section 5017 to the Public Resources Code, relating to state parks, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 330—Gordon. An act to amend Section 1265 of, and to add Sections 1265.3 and 1265.4 to, the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 331—Bogh. An act to add Section 11034 to the Government Code, relating to state government travel.

ASSEMBLY BILL NO. 332—Bogh. An act to add Section 834.5 to the Penal Code, relating to arrests.

ASSEMBLY BILL NO. 333—Harman. An act to amend Section 2025.330 of the Code of Civil Procedure, relating to production of evidence.

ASSEMBLY BILL NO. 334—Chan. An act to add Section 9005 to the Education Code, relating to school nutrition.

ASSEMBLY BILL NO. 335—Walters. An act to amend Section 1275 of, and to add Section 1275.05 to, the Penal Code, relating to crime.

ASSEMBLY BILL NO. 336—Huff. An act to amend Section 11366.8 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 337—Harman. An act to amend Section 8261 of the Government Code, relating to uniform state laws.

ASSEMBLY BILL NO. 338—Levine (Principal coauthor: Maze) (Coauthors: DeVore, Karnette, and Yee) (Coauthors: Senators Chesbro, Ducheny, and Figueroa). An act to add Section 42703 to the Public Resources Code, relating to recycling.

ASSEMBLY BILL NO. 339—Harman. An act to amend Section 17900 of the Business and Professions Code, to amend Sections 1113, 1152, and 1157 of, to add Chapter 1 (commencing with Section 15900) to, and to add and repeal Sections 15534 and 15724 of, the Corporations Code, relating to limited partnerships.

ASSEMBLY BILL NO. 340—Parra. An act to amend Section 116361 of the Health and Safety Code, relating to public water systems.

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

ASSEMBLY BILL NO. 342—Baca. An act relating to hazardous waste.

ASSEMBLY BILL NO. 343—Huff. An act to add Section 7284.5 to the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 344—Villines. An act relating to taxation.

ASSEMBLY BILL NO. 345—La Malfa. An act to amend Section 5956 of the Government Code, relating to infrastructure financing.

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

ASSEMBLY BILL NO. 347—Huff. An act to amend Section 91000 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 348—Arambula. An act to amend Sections 14839 and 14839.1 of the Government Code, relating to small business programs.

ASSEMBLY BILL NO. 349—Mountjoy. An act to add Article 7 (commencing with Section 51560) to Chapter 4 of Part 28 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 350—Matthews. An act to amend Section 65891.8 of, to add Chapter 2.6 (commencing with Section 53369) to Part 1 of Division 2 of Title 5 of, and to add Article 5.5 (commencing with Section 63047.50) to Chapter 2 of Title 6.7 of, the Government Code, relating to jobs-housing opportunity zones.

ASSEMBLY BILL No. 351—Chu. An act relating to state claims.

ASSEMBLY BILL NO. 352—Koretz. An act to amend Sections 12126 and 12130 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 353—La Malfa. An act relating to public resources.

ASSEMBLY BILL NO. 354—Cogdill. An act to amend Section 2290.5 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 355—Tran. An act to add Section 1433 to the Civil Code, relating to joint or several obligations.

ASSEMBLY BILL NO. 356—Chan. An act to add Section 1368.3 to the Health and Safety Code, and to add Section 10113.9 to the Insurance Code, relating to health care coverage.

AUTHOR'S AMENDMENTS **Committee on Education**

February 10, 2005

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

Assembly Bill No. 1

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 1—An act to amend Section 51008 of the Education Code, relating to instruction.

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

February 10, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 62

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

KLEHS, Chair

ASSEMBLY BILL NO. 62—An act to amend Section 218 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.

MESSAGES FROM THE SENATE

Senate Chamber, February 10, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 9

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

Senate Chamber, February 10, 2005

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

Senate Bill No. 22

Senate Bill No. 50

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

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 22—An act relating to DNA identification, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 50—An act to amend Section 24357 of, and to add Section 17206 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 6:30 a.m., Friday, February 11, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 10, 2005**

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

AB RN

1 0508251

62 0502435

Daily Total: 2

Cumulative Total: 12

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 11, 2005
TWENTY-FOURTH SESSION DAY
SIXTY-EIGHTH 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, February 11, 2005

The Assembly met at 6:30 a.m.

Hon. Betty Karnette, Assembly Member, 54th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—58:

Aghazarian	Daucher	Klehs	Negrete McLeod
Arambula	DeVore	Koretz	Niello
Baca	Dymally	La Suer	Plescia
Bass	Evans	Laird	Richman
Benoit	Frommer	Leno	Runner
Berg	Garcia	Leslie	Saldaña
Bermúdez	Goldberg	Lieber	Salinas
Blakeslee	Harman	Liu	Strickland
Bogh	Haynes	Matthews	Tran
Calderon	Horton, Shirley	Maze	Vargas
Canciamilla	Houston	McCarthy	Walters
Chavez	Huff	Montañez	Wolk
Chu	Jones	Mountjoy	Wyland
Cohn	Karnette	Mullin	
Coto	Keene	Nakanishi	

Quorum present.

At 10:43 a.m., Hon. Audra Strickland, 37th 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 Chan, Cogdill, Emerson, Jerome E. Horton, La Malfa, Nation, Oropeza, Parra, Pavley, Ridley-Thomas, Ruskin, Spitzer, Torrico, Umberg, Villines, and Yee.

On legislative business, and waiving per diem: Assembly Member Hancock.

On personal business, and waiving per diem: Assembly Members De La Torre, Gordon, Levine, Nava, and Núñez.

EXPLANATIONS OF ABSENCE

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

February 7, 2005

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

Dear Speaker Núñez: I am requesting to be excused from Floor Session on Friday, February 11, 2005 due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

February 10, 2005

*The Honorable Fabian Núñez
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, February 11, 2005. I will be in my district on legislative business. In the event that session is called, I can be in Sacramento well within the designated period of time.

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

February 7, 2005

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

Dear Mr. Speaker: The purpose of this letter is to respectfully request an excuse from session on Friday, February 11, 2005 due to legislative business in my district.

If you have any questions, please contact Teresa Trujillo at 319-2063. Thank you for your prompt attention to this matter.

Sincerely,

BILL EMMERSON, Assembly Member
Sixty-third District

February 3, 2005

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Floor Session on Friday, February 11, 2005, due to legislative business. As Chair of the Assembly Governmental Organization Committee, I will be meeting with Indian Gaming Tribes in the San Diego area on compact issues. I will be returning to Sacramento on Tuesday, February 15, 2005, in time for Assembly Floor 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

January 3, 2005

The Honorable Fabian Núñez
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, February 11, 2005. I will be in my district attending to legislative business.

Thank you for your consideration of this matter. If you have any questions or concerns, please contact me at 319-2002.

Sincerely,

DOUG LAMALFA, Assembly Member
Second District

February 3, 2005

The Honorable Fabian Núñez
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, February 11, 2005 due to legislative meetings that have been scheduled in my district office.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

February 2, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Session, Friday, February 11, 2005, due to legislative business in my district.

Thank you for your 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

February 8, 2005

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

Dear Speaker Núñez: I am writing this letter to respectfully request to be excused from Check In session on Friday, February 11, 2005. I will be traveling on legislative business to attend the Setting the Wheels in Motion Advancing Asset Building Policies for California Seminar in Los Angeles.

Thank you in advance for your consideration to this important request. Should you have any questions, please feel free to call Jennifer Magdaleno at 319-2030.

Sincerely,

NICOLE M. PARRA, Assembly Member
Thirtieth District

February 10, 2005

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

Dear Speaker Núñez: This letter is to request absence from Check-in Session on Friday, February 11, 2005. I will be in my District attending to legislative business.

Thank you for your consideration of this request.

Sincerely,

FRAN PAVLEY, Assembly Member
Forty-first District

February 10, 2005

The Honorable Fabian Núñez
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, February 11. 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

February 1, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 3016
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on February 11, 2005 due to Legislative Business in my district.

If your staff should have any additional questions please feel free to contact Traci Holt at 916-319-2021.

Respectfully,

IRA RUSKIN, Assembly Member
 Twenty-first District

February 10, 2005

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

Dear Mr. Speaker: I would like to be excused from session on Friday, February 11, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
 Seventy-first District

February 11, 2005

Office of Assembly Speaker Fabian Núñez

Please excuse me from check-in session today, Friday, February 11, 2005. I will be conducting legislative business in my district.

Thank you,

ALBERTO TORRICO, Assembly Member
 Twentieth District

February 10, 2005

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

Dear Speaker Núñez, I respectfully request to be excused from session on Friday, February 11 so that I may be in my district on legislative business.

If you have any questions or concerns about this request, please contact Diane Pugh of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member
Sixty-ninth District

January 31, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Session February 11, 2005 for legislative meetings in my district.

If you have any questions, please contact Julianna Thomas in my office at 319-2029. Thank you for your consideration of this request.

Sincerely,

MICHAEL N. VILLINES, Assembly Member
Twenty-ninth District

February 10, 2005

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

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Friday, February 11. I will be in my district during this time attending to legislative business.

Sincerely,

LELAND Y. YEE, Ph.D.
Speaker pro Tempore

(NOTE: For letter explaining the absence of Assembly Member Hancock on this day on legislative business, and waiving per diem pursuant to the Assembly Rules, see Assembly Daily Journal for February 9, 2005.)

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Select Committee on the Los Angeles County Health Care Crisis, on Friday, February 25, 2005 and April 1, 2005, in Los Angeles;

Health, on Tuesday, February 22, 2005, at 1:30 p.m., in Room 4202;

Veterans Affairs to convene jointly with the Senate Select Committee on the Defense and Aerospace Industry, on Tuesday, March 1, 2005, at 9:30 a.m.;

Health Committee to convene jointly with the Senate Health Committee and the Senate Subcommittee on Stem Cell Research Oversight, on Wednesday, March 2, 2005, in Room 4203;

Water, Parks and Wildlife to convene jointly with the Budget Subcommittee No. 3 on Resources, on Wednesday, March 9, 2005.

COMMUNICATIONS

Proposed Initiatives

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 7, 2005, transmitting copies of the title, summary, and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

Economic Development Banks.

Initiative Constitutional Amendment. SA 2004RF0035

Referred by the Speaker to the Committee on Banking and Finance.

REPORTS

The following reports were presented by the Chief Clerk:

2004 Progress Report

on Securing Supplemental Sources of Water to Augment Existing Supplies During Dry Years

(Pursuant to Assembly Bill 1823, Chapter 841, Statutes of 2002)

Above transmitted report, together with letter of transmittal from Michael P. Carlin, Planning Director, San Francisco Public Utilities Commission, dated January 31, 2005, referred by the Speaker to the Committee on Local Government.

2003–04 Annual Report on Vendor Service Data

(Pursuant to Assembly Bill 2100, Chapter 831, Statutes of 2004)

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated February 1, 2005, referred by the Speaker to the Committee on Human Services.

2003–04 Vocational Education Carryover Funds Report

(Pursuant to Budget Act 2004)

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated February 2, 2005, referred by the Speaker to the Committee on Budget.

**State Superintendent of Public Instruction Report on
the Actions of the Solano County Superintendent of Schools with Regard to
Vallejo United School District
(Pursuant to Education Code Section 41326(k))**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated February 2, 2005, referred by the Speaker to the Committee on Education.

**2004 California Physical Fitness Testing Report
(Pursuant to Senate Bill 896, Chapter 1066, Statutes of 1998)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated February 2, 2005, referred by the Speaker to the Committee on Education.

**Design-Build: An Alternative Construction System
(Pursuant to Assembly Bill 2296, Chapter 594
Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, Legislative Analyst's Office, dated February 3, 2005, referred by the Speaker to the Committee on Local Government.

**Drinking Water Treatment and Research Fund Report
(Pursuant to Health and Safety Code Section 116367(e))**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated January 27, 2005, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Supplemental Report on Independent Contractor Withholding
(Pursuant to Budget Act 2004, Item 1730-001-0001)**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated February 1, 2005, referred by the Speaker to the Committee on Revenue and Taxation.

**Report on Regulations to Control
Greenhouse Gas Emissions from Motor Vehicles
(Pursuant to Assembly Bill 1493, Chapter 200, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Catherine Witherspoon, Executive Officer, Air Resources Board, dated February 4, 2005, referred by the Speaker to the Committee on Transportation.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 11, 2005

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

Assembly Bill No. 1

Assembly Bill No. 62

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 357—Shirley Horton (Principal coauthor: Senator Chesbro). An act to amend Section 1048 of, and to add Section 1051 to, the Military and Veterans Code, and to add and repeal Article 11.5 (commencing with Section 18825) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to veterans.

ASSEMBLY BILL NO. 358—Liu. An act to amend Section 69435 of, and to add Section 69432.3 to, the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 359—Gordon. An act to add Section 5006.9 to the Public Resources Code, relating to parks.

ASSEMBLY BILL NO. 360—Frommer. An act to amend Sections 1324.20 and 1324.27 of the Health and Safety Code, and to amend Section 14126.02 of the Welfare and Institutions Code, relating to skilled nursing facilities.

ASSEMBLY BILL NO. 361—Sharon Runner. An act to add Section 8214.7 to the Government Code, relating to notaries public.

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

ASSEMBLY BILL NO. 363—Chu. An act to amend Section 10601.2 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 364—Cogdill. An act to amend Section 63036 of the Government Code, and to amend Section 1720 of the Labor Code, relating to public works, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 365—Salinas. An act to amend Section 51201 of the Government Code, relating to agricultural lands.

ASSEMBLY BILL NO. 366—Maze. An act to amend Section 809.2 of the Business and Professions Code, relating to professions and vocations.

ASSEMBLY BILL NO. 367—Nakanishi. An act to amend Section 2083 of the Business and Professions Code, relating to physicians and surgeons.

ASSEMBLY BILL NO. 368—Evans. An act to add Section 10545 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 369—Benoit. An act to amend Section 19250 of the Elections Code, relating to voting systems.

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

ASSEMBLY BILL NO. 371—Goldberg. An act to amend Sections 5410 and 5415 of the Health and Safety Code, and to amend Sections 13260 and 13523 of, and to add Sections 13552.1, 13552.5, and 13557 to, the Water Code, relating to water.

ASSEMBLY BILL NO. 372—Nation. An act to amend Section 105032 of the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 373—Bermudez. An act to add Section 13015 to the Penal Code, relating to officer safety, and making an appropriation therefor.

ASSEMBLY BILL NO. 374—Bermudez. An act to amend Section 60327.1 of the Water Code, relating to water.

ASSEMBLY BILL NO. 375—Cogdill. An act to amend Section 21080 of the Public Resources Code, relating to environmental quality.

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

ASSEMBLY BILL NO. 377—Maze. An act to amend Section 6357.1 of the Revenue and Taxation Code, relating to tax.

ASSEMBLY BILL NO. 378—Chu. An act to amend Section 338 of the Code of Civil Procedure, relating to protected classes.

ASSEMBLY BILL NO. 379—Evans. An act to amend Section 11322.8 of the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

ASSEMBLY BILL NO. 380—Nunez. An act to add Section 380 to the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 381—Montanez. An act to amend Section 6752 of the Family Code, relating to minors.

ASSEMBLY BILL NO. 382—Chan. An act to repeal Section 91521.3 of the Government Code, relating to industrial development financing.

ASSEMBLY BILL NO. 383—Montanez. An act to amend Section 44062.1 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 384—Nation. An act to add and repeal Section 52087 of the Education Code, relating to class size.

ASSEMBLY BILL NO. 385—Lieber. An act to amend Section 19507 of the Welfare and Institutions Code, relating to blind persons.

ASSEMBLY BILL NO. 386—Lieber. An act to add Section 4474.2 to the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 387—Arambula. An act to amend Section 1240 of the Education Code, relating to textbooks.

ASSEMBLY BILL NO. 388—Canciamilla. An act to amend Sections 60119, 60200, and 60223 of, and to add Section 60120 to, the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 389—Arambula (Coauthor: Parra). An act relating to housing.

ASSEMBLY BILL NO. 390—Canciamilla. An act to amend Sections 51204.5 and 60040 of the Education Code, relating to pupil instruction.

ASSEMBLY BILL NO. 391—Koretz (Principal coauthor: Senator Florez). An act to amend Section 1262 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

ASSEMBLY BILL NO. 392—Chan. An act to amend Sections 18986.86 and 18986.87 of, and to repeal Section 18986.88 of, the Welfare and Institutions Code, relating to county integrated health and human services.

ASSEMBLY BILL NO. 393—Frommer. An act to amend Section 67055 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 394—Niello (Coauthors: Houston, Jones, and Nakanishi) (Coauthor: Senator Cox). An act to add Section 12956.2 to the Government Code, relating to housing.

ASSEMBLY BILL NO. 395—Canciamilla. An act to add Section 9029.7 to the Government Code, relating to the Legislature.

ASSEMBLY BILL NO. 396—Lieber. An act to amend Section 65863.7 of the Government Code, relating to land use.

ASSEMBLY BILL NO. 397—Chavez. An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 6—Canciamilla. Relative to the Standing Rules of the Assembly for the 2005–06 Regular Session.

AUTHOR'S AMENDMENTS
Committee on Health

February 11, 2005

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

Assembly Bill No. 71

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

CHAN, Chair

ASSEMBLY BILL NO. 71—An act to add Article 7 (commencing with Section 111657) to Chapter 6 of Part 5 of Division 104 of the Health and Safety Code, relating to pharmaceuticals.

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 Employees, Retirement and Social Security

February 11, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 30

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

TORRICO, Chair

ASSEMBLY BILL NO. 30—An act to amend Sections 20069, 20282, 20303, 20305, 20822, 20894, 20896, 21023, 21024, 21027, 21029, 21117, and 31649 of, and to add Sections 20772.5, 20823, 20935, 20992, and 21029.5 to, the Government Code, and to amend Sections 215, 228, and 256 of the Military and Veterans Code, relating to public employees' retirement, and making an 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.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 12 noon, Tuesday, February 15, 2005.

SALLY LIEBER, Assistant Speaker pro Tempore

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 11, 2005**

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

AB RN

30 0505878

71 0504102

Daily Total: 2

Cumulative Total: 14

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 15, 2005

TWENTY-FIFTH SESSION DAY

SEVENTY-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, February 15, 2005

The Assembly met at 12:01 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member La Suer moved a quorum call of 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 12:03 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—68:

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

PRAYER

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

Lord, Help us to remember what is truly important . . . that we are Your children and You are our Father. You love us for who we are and how we live, not what we look like or what we own. We rely on Your constant love. In the midst of our work today, Lord, we take this time to fulfill our duty of prayer by giving thanks to You, the giver of every good and perfect gift.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

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 Aghazarian, Bogh, Emmerson, Haynes, Keene, Mountjoy, Plescia, and Tran.

On legislative business, and waiving per diem: Assembly Member Cogdill.

On personal business, and waiving per diem: Assembly Member McCarthy.

Because of illness: Assembly Members Shirley Horton and Oropeza.

EXPLANATIONS OF ABSENCE

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

February 9, 2005

*The Honorable Cindy Montañez
Chair, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, California*

Dear Assemblymember Montañez: The purpose of this letter is to respectfully request that I be excused from Session, February 15, and Check-in Session on February 16 and 17. I will be out of town on Legislative business.

If you have any questions, please contact Rebecca Wood at 319-2026.

Sincerely,

GREG AGHAZARIAN, Assembly Member
Twenty-sixth District

February 10, 2005

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

Dear Assembly Speaker Núñez,

This letter is a request to be excused from Session and Check-in Session from Tuesday, February 15, 2005 through Thursday, February 17, 2005 for legislative business.

Thank you for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
 Sixty-fifth District

January 11, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from session February 15–17, 2005. I will be traveling to Washington D.C. to meet with California's Congressional delegation. Additionally, I am requesting that my per diem be waived for those three days.

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

February 11, 2005

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

Dear Mr. Speaker: The purpose of this letter is to respectfully request to be excused February 15–17 due to legislative business.

If you have any questions, please contact Teresa Trujillo at 319-2063. Thank you for your prompt attention to this matter.

Sincerely,

BILL EMMERSON, Assembly Member
 Sixty-third District

February 8, 2005

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

Dear Mr. Speaker: Please excuse my absence from Assembly Floor Session on Tuesday, February 15, 2005, and Check-in Session on Wednesday, February 16, and Thursday, February 17 due to legislative business.

Sincerely,

RAY HAYNES, Assembly Member
Sixty-sixth District

February 11, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219

Dear Mr. Speaker: I respectfully request to be excused from session on Tuesday, February 15, 2005 and check-in on Wednesday, February 16 and check-in on Thursday, February 17, 2005 due to legislative business.

Please call Melanie Perron in my Capitol office with any questions or concerns. Thank you for your consideration of this request.

Sincerely,

RICK KEENE, Assembly Member
Third District

February 10, 2005

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

Dear Speaker Núñez: This is to request that I be excused from session on Tuesday, February 15 for legislative business.

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

Sincerely,

DENNIS MOUNTJOY, Assembly Member
Fifty-ninth District

February 10, 2005

Hon. Fabian Núñez
Speaker of the Assembly
State Capitol
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session February 15–17, 2005. I have legislative business to attend to.

If you have any questions regarding this request, please feel free to contact Beth Helmsin in my office at 319-2075.

Sincerely,

GEORGE A. PLESCIA, Assembly Member
 Seventy-fifth District

February 9, 2005

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

Dear Mr. Speaker,

I write to you today to respectfully request that I be excused from Assembly Session from Tuesday, February 15, through Friday, February 18, for legislative business.

If you have any questions, please contact David Titus at (916) 319-2068.

Sincerely,

VAN TRAN, Assembly Member
 Sixty-eighth District

COMMUNICATIONS

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

February 15, 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 created the Assembly Legislative Ethics Committee for the 2005–06 Regular Session and have appointed the following members:

Assemblymember Gloria Negrete McLeod, Democratic Co-Chair
 Assemblymember Dave Cogdill, Republican Co-Chair

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

February 15, 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 made the following changes to the Standing and Sub Committee Meetings Schedule for the 2005–06 Regular Session:

Assembly Education Committee will meet every Wednesday at 1:30 p.m. in Room 126.

Assembly Local Government Committee will meet weeks 2nd and 4th at 1:30 p.m. in Room 447.

Assembly Budget Subcommittee No. 3 will meet every week at 8:30 a.m. in Room 447.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

Statement of General Fund Cash Receipts and Disbursements
July 1, 2004 through November 30, 2004
(Pursuant to Government Code Section 12461.1)

Above transmitted report, together with letter of transmittal from Steve Westly, State Controller, dated December 10, 2004, referred by the Speaker to the Committee on Budget.

Contracting Report:
Disabled Veteran Business Enterprise Participation

Above transmitted report, from Anna Yee, Business Services Officer, Department of Financial Institutions, referred by the Speaker to the Committee on Veterans Affairs.

Budget and Expenditure Report through
First Quarter of Fiscal Year 2004–05
(Pursuant to Budget Act 2004, Item 1900-015-0830)

Above transmitted report, together with letter of transmittal from Fred Buenrostro, Chief Executive Officer, California Public Employees' Retirement System, dated December 28, 2004, referred by the Speaker to the Committee on Budget.

Contracting Report:
Disabled Veteran Business Enterprise Participation

Above transmitted report, from Andrea Corona, Business Services Assistant, Department of Finance, referred by the Speaker to the Committee on Veterans Affairs.

Regulatory Actions Taken by This Agency in Response to
the Enactment of Senate Bill 1102
(Pursuant to Senate Bill 1102, Chapter 227, Statutes of 2004)

Above transmitted report, together with letter of transmittal from John C. Duncan, Chairman, California Public Employment Relations Board, dated December 13, 2004, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Budget Allocation Evaluation Workgroup Report
(Pursuant to Assembly Bill 1752, Chapter 225, Statutes of 2003)**

Above transmitted report, together with letter of transmittal from Greta Wallace, Director, Department of Child Support Services, dated December 10, 2004, referred by the Speaker to the Committee on Budget.

**2004 Medi-Cal Payment Error Study (MPES) Report
(Pursuant to Budget Act 2004-05)**

Above transmitted report, together with letter of transmittal from Sandra Shewry, Director, Department of Health Services, dated January 7, 2005, referred by the Speaker to the Committee on Budget.

**California Developmental Disabilities Information System (CADDIS)
Final Monthly Status Report, October 2004
(Pursuant to Senate Bill 1113, Chapter 208, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated February 2, 2005, referred by the Speaker to the Committee on Budget.

Faculty Compensation

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated February 3, 2005, referred by the Speaker to the Committee on Budget.

**Employment Training Panel Annual Report 2003-04
(Pursuant to Unemployment Insurance Code Section 10205)**

Above transmitted report, together with letter of transmittal from Ada Carrillo, Acting Executive Director, Employment Training Panel, dated February 4, 2005, referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

**Quarterly Hazardous Waste Fee Revenue Report
October 1, 2004 through December 31, 2004
(Pursuant to Health and Safety Code Section 25178.1)**

Above transmitted report, together with letter of transmittal from Ramon J. Hirsig, Executive Director, Board of Equalization, dated February 8, 2005, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Progress Report on Bilingual Services
(Pursuant to Labor Code Section 176(f))**

Above transmitted report, together with letter of transmittal from Michael Pro시오, Assistant Secretary, Labor and Workforce Development Agency, dated February 8, 2005, referred by the Speaker to the Committee on Labor and Employment.

**Senate Bill 960 Section 13 Report
on Timely Resolution of the Proceedings and Commissioner Presence at Hearings
(Pursuant to Senate Bill 960, Chapter 856, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated January 28, 2005, referred by the Speaker to the Committee on Utilities and Commerce.

**California Low Cost Automobile Insurance Program Annual Report
(Pursuant to Insurance Code Section 11629.85)**

Above transmitted report, together with letter of transmittal from John Garamendi, Insurance Commissioner, dated February 1, 2005, referred by the Speaker to the Committee on Insurance.

**2003-04 Emergency Medical Services Fund (EMS) Report
(Pursuant to Health and Safety Code Section 1797.98a)**

Above transmitted report, together with letter of transmittal from Charles B. Mosher, MD, MPH, Health Officer, Mariposa County Public Health Department, dated February 8, 2005, referred by the Speaker to the Committee on Health.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

Bill No.

Committee

21	-----	Health and B. & P.
94	-----	B. & P.
166	-----	Health and L. Gov.
178	-----	G.O.
186	-----	L. & E.
201	-----	Health and L. Gov.
213	-----	Health
214	-----	P.E.,R. & S.S.
215	-----	E. & R.
216	-----	E. & R.
218	-----	Rev. & Tax.
219	-----	B. & P.
221	-----	Pub. S.
223	-----	B. & P.
224	-----	P.E.,R. & S.S.
225	-----	Health
226	-----	B. & P.
227	-----	Ins.
228	-----	Health
229	-----	Ins.
232	-----	Higher Ed.
233	-----	Hum. S.
234	-----	L. & E.
236	-----	Rev. & Tax.
238	-----	Jud.
240	-----	Pub. S.
241	-----	B. & F.
242	-----	Ins.
245	-----	L. Gov.
246	-----	Pub. S.
247	-----	Rev. & Tax.
249	-----	Rev. & Tax.
250	-----	L. Gov.
252	-----	A.,E.,S.,T. & I.M.
253	-----	Pub. S.
255	-----	V.A.
257	-----	Health

258	-----	Health
260	-----	G.O.
263	-----	E.S. & T.M.
265	-----	Jud.
267	-----	Trans.
268	-----	B. & P.
269	-----	Hum. S.
270	-----	Nat. Res.
271	-----	P.E.,R. & S.S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
12	----- Rls.
13	----- Rls.
14	----- Rls.

Assembly Joint

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

Senate

<i>Bill No.</i>	<i>Committee</i>
22	----- Appr.
50	----- Rev. & Tax.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 15, 2005

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

Assembly Bill No. 30
 Assembly Bill No. 71

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Public Safety

Date of Hearing: February 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 16

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.

LENO, Chair

Above bill ordered to second reading.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint Legislative Audit Committee, on Tuesday, February 22, 2005, upon adjournment of Assembly and Senate Floor Sessions, in Room 4202.

Assembly Member Frommer was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting on Tuesday, February 15, 2005, upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 22 and 29 for hearing.

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

SENATE CONCURRENT RESOLUTION NO. 6 (Morrow)—Relative to the 60th anniversary of the World War II invasion of the Island of Iwo Jima.

Resolution read, and presented by Assembly Member DeVore.

Members Made Coauthors of Senate Concurrent Resolution No. 6

Assembly Member DeVore was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 6.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Arambula, Baca, Bass, Berg, Blakeslee, Calderon, Chan, Chavez, Chu, Cohn, Coto, De La Torre, Dymally, Frommer, Garcia, Goldberg, Hancock, Harman, Houston, Karnette, Klehs, Laird, Leno, Levine, Lieber, Matthews, Montañez, Mullin, Nation, Nava, Negrete McLeod, Niello, Núñez, Parra, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Umberg, Vargas, Walters, and Wolk.

Request for Unanimous Consent

Assembly Member DeVore was granted unanimous consent to take up Senate Concurrent Resolution No. 6, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 6, as Amended

SENATE CONCURRENT RESOLUTION NO. 6—Relative to the 60th anniversary of the World War II invasion of the Island of Iwo Jima.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ANNOUNCEMENTS

Speaker pro Tempore Yee announced as a reminder, that March 1, 2005 is the deadline for members to file their form 700, Statement of Economic Interests. The forms must be filed with the Chief Clerk's office by 5 p.m., March 1, 2005, attention Pam Cavileer.

Speaker pro Tempore Yee announced that Friday, February 18, 2005 is the bill introduction deadline. The Assembly Desk will remain open until 5 p.m. for the purpose of introducing bills.

ADJOURN IN MEMORY

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Stamps, of Crescent City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Chan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Clay Morgan Wilson, of Oakland.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Ruskin and Cohn were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Fire Captain Mark McCormack, of Morgan Hill.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carl Ferraro, of Los Feliz.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Negrete McLeod was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Christopher Michael Brulotte, of Rancho Cucamonga and Mayelley Marin, of Ontario.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rev. Leo McAllister, of Carmichael, Assembly Chaplain 1969–1978 and Senate Chaplain 1986–1988.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Pavley, Koretz, Goldberg, and Ridley-Thomas were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marjorie Braude, of Brentwood.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ossie Davis, of Washington.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY**Moment of Silence**

Assembly Member Saldaña was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maria Plasencia, of San Diego and that the Assembly observe a moment of silence in honor of all the individuals in whose memory the Assembly adjourns today.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jessica Danielle Dennis, of Crescent City.

Assembly Members Evans and Nation were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gary Walker, of Sonoma.

Assembly Member Jerome E. Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Walter Haskell, of Inglewood.

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Staff Sgt. Joseph W. Stevens, of Sacramento.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Stan Seiderman, of San Anselmo.

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 Callie Leonard, of Benicia; Thomas K. Allewelt and James M. O'Keefe, of Davis; Helen Gifford Couture and Floyd Daniel Dula, of Fairfield; Laverne Simons, of Rio Vista; Rose T. LaRocca, of Suisun City; Jennifer Brouwer and Otto Mahoney, of Vacaville; Joseph Espigares, John S. Peiffer, and Daryle Ray Sussdorf, of Woodland.

MOTION TO ADJOURN

At 12:36 p.m., Assembly Member Negrete McLeod moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:37 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 398—Villines. An act to amend Sections 17255 and 24356 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 400—Gordon. An act to add Section 21080.36 to the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 401—Goldberg. An act to amend the heading of Chapter 4 (commencing with Section 33500) of Part 20 of, and to add Article 8 (commencing with Section 33610) to Chapter 4 of Part 20 of, the Education Code, relating to education and workforce preparation.

ASSEMBLY BILL NO. 402—Dymally. An act to amend Section 8702 of the Government Code, relating to borders.

ASSEMBLY BILL NO. 403—La Malfa. An act relating to hazardous materials.

ASSEMBLY BILL NO. 404—Leno. An act to amend Section 1810.7 of the Insurance Code, relating to bail licenses.

ASSEMBLY BILL NO. 405—Montanez. An act to amend Sections 17609 and 17610.5 of, and to add Sections 17610.1 and 17610.2 to, the Education Code, relating to school-sites.

ASSEMBLY BILL NO. 406—Haynes. An act to add Chapter 6 (commencing with Section 945.6) to Title 7 of Part 2 of Division 2 of the Civil Code, relating to construction defects.

ASSEMBLY BILL NO. 407—Calderon. An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 408—Tran. An act to repeal Sections 35815 and 35816 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 409—Yee. An act to amend Section 14838 of the Government Code, relating to state contracts.

ASSEMBLY BILL NO. 410—Yee. An act to amend Section 999.2 of the Military and Veterans Code, relating to disabled veteran business enterprises.

ASSEMBLY BILL NO. 411—Yee. An act to amend Section 10262.5 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 412—Goldberg. An act relating to education.

ASSEMBLY BILL NO. 413—Yee. An act to add Section 19961.5 to the Business and Professions Code, relating to gaming.

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

ASSEMBLY BILL NO. 415—Harman. An act to amend and repeal Section 1282.4 of the Code of Civil Procedure, relating to arbitration.

ASSEMBLY BILL NO. 416—Plescica. An act to amend Section 38131 of the Education Code, relating to schools.

ASSEMBLY BILL NO. 417—Aghazarian. An act to amend Section 25600 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 418—Koretz. An act to add Section 597.7 to the Penal Code, relating to animals.

ASSEMBLY BILL NO. 419—Koretz. An act to amend Section 6753 of the Family Code, and to amend Section 1308.9 of the Labor Code, relating to artistic employment contracts.

ASSEMBLY BILL NO. 420—Shirley Horton. An act to amend Section 44280 of the Education Code, relating to subject matter examinations and assessments.

ASSEMBLY BILL NO. 421—Spitzer (Principal coauthors: Bermudez and Parra) (Coauthor: Sharon Runner) (Coauthor: Senator Runner). An act to add Section 530.2 to the Penal Code, relating to crime.

ASSEMBLY BILL NO. 422—Vargas. An act to amend Section 22352 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 423—Spitzer. An act to amend Section 43.55 of the Civil Code, relating to liability.

ASSEMBLY BILL NO. 424—Calderon. An act to amend Sections 530.6 and 530.8 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 425—Negrete McLeod. An act to add Section 22444.5 to the Business and Professions Code, relating to immigration consultants.

ASSEMBLY BILL NO. 426—Bogh. An act to add Section 21655.1 to the Vehicle Code, relating to transportation.

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

ASSEMBLY BILL NO. 428—Gordon. An act to amend Section 25761 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 429—Chu. An act to amend Section 527.8 of the Code of Civil Procedure, to amend Section 6383 of the Family Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to temporary restraining orders and protective orders.

ASSEMBLY BILL NO. 430—Nava. An act to amend Section 44517 of the Education Code, relating to public school administrators.

ASSEMBLY BILL NO. 431—Aghazarian. An act to amend Section 340.2 of the Code of Civil Procedure, relating to statutes of limitation.

ASSEMBLY BILL NO. 432—Oropeza. An act to amend Sections 331 and 3500 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 433—Nava. An act to amend Section 1241 of the Business and Professions Code, relating to clinical laboratories.

ASSEMBLY BILL NO. 434—Parra. An act to amend Section 14860 of the Financial Code, relating to credit unions.

ASSEMBLY BILL NO. 435—Liu. An act to add Section 9108 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 436—Plescica. An act to amend Section 14105.48 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 437—Parra. An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 438—Parra. An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 439—Parra. An act to amend Sections 290 and 1203.4 of, and to repeal Section 290.1 of, the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 440—Matthews. An act to add Section 6608.7 to the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 441—Chu. An act to amend Section 25110 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 442—Villines. An act relating to community care facilities.

ASSEMBLY BILL NO. 443—Yee. An act to amend Section 48931 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 444—Yee. An act to amend Section 49531.1 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 445—Walters. An act to add Section 1367.08 to the Health and Safety Code, and to add Section 101191.1 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 446—Negrete McLeod. An act to amend Section 922 of the Business and Professions Code, relating to medicine.

ASSEMBLY BILL NO. 447—La Suer. An act to amend Sections 8718 and 8823 of the Family Code, relating to adoption.

ASSEMBLY BILL NO. 448—La Suer. An act to repeal Chapter 2.3 (commencing with Section 12275) of Title 2 of Part 4 of the Penal Code, relating to assault weapons.

ASSEMBLY BILL NO. 449—Plescia. An act to amend and repeal Sections 19613 and 19613.3 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 450—Yee. An act to add Title 1.2A (commencing with Section 1746) to Part 4 of Division 3 of the Civil Code, relating to violent video games.

ASSEMBLY BILL NO. 451—Yee (Coauthors: Jones and Oropeza). An act to amend Sections 7204.03 and 7205 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 452—Yee. An act to amend Section 97.1 of, and to add and repeal Section 97.2 of, the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 453—Benoit. An act to amend Sections 2454, 2456, and 2458 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 454—Sharon Runner. An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

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

ASSEMBLY BILL NO. 456—Torrico. An act to add Article 3 (commencing with Section 20085) to Chapter 1 of Part 3 of Division 5 of Title 2 of the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 457—Torrico. An act relating to public employees' retirement.

ASSEMBLY BILL NO. 458—Torrico. An act relating to public employees' retirement.

ASSEMBLY BILL NO. 459—Oropeza. An act to amend Section 10241 of the Business and Professions Code, and to amend Section 2963 of, and to add Section 1102.6c to, the Civil Code, relating to transfer of real property.

ASSEMBLY BILL NO. 460—Parra. An act to amend Sections 9561 and 9562 of the Food and Agricultural Code, relating to animals.

ASSEMBLY BILL NO. 461—Shirley Horton. An act to add Section 148.1 to the Streets and Highways Code, and to amend Section 21650 of the Vehicle Code, relating to transportation.

ASSEMBLY BILL NO. 462—Tran. An act to amend Section 4454 of the Government Code, relating to disability access, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 463—Tran. An act to amend Section 54957 of the Government Code, relating to local agencies.

ASSEMBLY BILL NO. 464—Daucher. An act to amend Sections 4780, 4782, 4784, and 4785 of the Probate Code, relating to health care directives.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 10—Nunez. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIX B thereof, relating to transportation.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 15—Evans. Relative to InHome Supportive Services Caregiver Recognition Week.

AUTHOR'S AMENDMENTS

Committee on Revenue and Taxation

February 15, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 3

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

KLEHS, Chair

ASSEMBLY BILL NO. 3—An act to add Section 17208 to 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.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: February 15, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 22

Senate Bill No. 29

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: February 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 64

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

LENO, Chair

Above bill re-referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

Senate Chamber, February 15, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 6

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

Senate Chamber, February 15, 2005

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

Senate Concurrent Resolution No. 5

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 5—Relative to the Deputy Bruce Lee Memorial Highway.

INTRODUCTION OF GUESTS

Assembly Member Huff, of the 60th Assembly District, introduced members of the China Senior Group: Sun Wei Ben, Heilongjiang Province Municipal People's Congress Chairman; Xie Zhong Tian, China Periodical Association President; Zhao Chong Fu, Harbin City Dongli District Governor; Xie Zhong Zhi, Harbin City Xian Fan District Bureau of Retired Veteran Cadres; Chang Yu Lan, Harbin City Daoli District Bureau of Retired Veteran Cadres; Cao Jie, Harbin City Dongli District Bureau of Retired Veteran Cadres; and Issey Feng.

ADJOURNMENT

At 4 p.m., pursuant to the motion by Assembly Member Negrete McLeod, the Assembly adjourned until 7 a.m., Wednesday, February 16, 2005, out of respect to the memory of Bill Stamps, on motion of Assembly Member Benoit; out of respect to the memory of Dr. Clay Morgan Wilson, on motion of Assembly Member Chan; out of respect to the memory of Fire Captain Mark McCormack, on motion of Assembly Members Ruskin and Cohn; out of respect to the memory of Carl Ferraro, on motion of Assembly Member Frommer; out of respect to the memory of Christopher Michael Brulotte and Mayelly Marin, on motion of Assembly Member Negrete McLeod; out of respect to the memory of Rev. Leo McAllister, on motion of Assembly Member Niello; out of respect to the memory of Marjorie Braude, on motion of Assembly Members Pavley, Koretz, Goldberg, and Ridley-Thomas; out of respect to the memory of Ossie Davis, on motion of Assembly Member Dymally; out of respect to the memory of Maria Plasencia, on motion of Assembly Member Saldaña; out of respect to the memory of Jessica Danielle Dennis, on motion of Assembly Member Berg; out of respect to the memory of Gary Walker, on motion of Assembly Members Evans and Nation; out of respect to the memory of Walter Haskell, on motion of Assembly Member Jerome E. Horton; out of respect to the memory of Staff Sgt. Joseph W. Stevens, on motion of Assembly Member Jones; out of respect to the memory of Stan Seiderman, on motion of Assembly Member Nation; out of respect to the memory of Callie Leonard, Thomas K. Allewelt, James M. O'Keefe, Helen Gifford Couture, Floyd Daniel Dula, Laverne Simons, Rose T. LaRocca, Jennifer Brouwer, Otto Mahoney, Joseph Espigares, John S. Peiffer, and Daryle Ray Sussdorf, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 15, 2005**

The following measure was amended in the Assembly on this day:

AB RN

3 0508286

Daily Total: 1

Cumulative Total: 15

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 16, 2005
TWENTY-SIXTH SESSION DAY
SEVENTY-THIRD 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
Wednesday, February 16, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—65:

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

Quorum present.

At 1:20 p.m., Hon. Joe Nation, 6th 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 Aghazarian, Bogh, Emerson, Haynes, Keene, Plescia, Spitzer, Tran, and Yee.

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

On personal business, and waiving per diem: Assembly Members Daucher and McCarthy.

Because of illness: Assembly Members Shirley Horton and Oropeza.

EXPLANATIONS OF ABSENCE

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

February 15, 2005

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

Dear Mr. Speaker: I respectfully request an excuse for Check-In Session on February 16, 2005, 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

February 10, 2005

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

Dear Mr. Speaker: I would like to be excused from session on Wednesday and Thursday, February 16 and 17, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
 Seventy-first District

February 15, 2005

The Honorable Fabian Núñez
California State Assembly
Room 219, State Capitol
Sacramento, California

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Wednesday February 16, 2005. I will be in my district during that time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
 Speaker pro Tempore

(NOTE: For letters explaining the absences of Assembly Members Aghazarian, Bogh, Emmerson, Haynes, Keene, Plescia, and Tran on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 15, 2005; for letter explaining the absence of Assembly Member Cogdill on this day on legislative business, and waiving per diem pursuant to the Assembly Rules, see Assembly Daily Journal for February 15, 2005.)

COMMUNICATIONS

Pursuant to the provisions of Joint Rule 54(a), the following communication was presented by the Speaker, and ordered printed in the Journal:

TO: All Assemblymembers
 FROM: Speaker Fabian Núñez
 DATE: February 16, 2005
 RE: Extension of the Bill Introduction Deadline

The Legislative Data Center has encountered some technological problems with its new bill drafting system that will make it difficult for the Office of the Legislative Counsel to complete and return all bill requests by the bill introduction deadline of this Friday, February 18.

In order to ensure that all Members bill requests are completed in a timely fashion, the bill introduction deadline has been extended to Tuesday, February 22nd at 5 p.m. This will ensure that the Legislative Counsel has adequate time to complete bill drafts for all Members of the Legislature.

Please contact the Assembly Desk, at 319-2358, if you have any questions.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 16, 2005

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

Assembly Bill No. 3

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 465—Cogdill. An act to amend Sections 11100, 11100.1, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 466—Parra. An act to add Section 5019.90 to the Public Resources Code, relating to parks and recreation.

ASSEMBLY BILL NO. 467—Yee. An act relating to MediCal.

ASSEMBLY BILL NO. 468—Yee. An act to amend Section 7576 of the Government Code, relating to special education.

ASSEMBLY BILL NO. 469—Yee. An act to add Section 14109.8 to the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 470—Yee. An act to add Section 7576.4 to the Government Code, relating to mental health.

ASSEMBLY BILL NO. 471—Maze. An act relating to taxation.

ASSEMBLY BILL NO. 472—Benoit. An act to amend Section 12301.6 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 473—Liu. An act to amend Sections 76300 and 76370 of the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 474—Cogdill. An act to add Section 1773.8 to the Labor Code, relating to the prevailing wage.

ASSEMBLY BILL NO. 475—Baca. An act to add Section 17206 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 476—Baca. An act to amend Sections 13040 and 13041 of the Education Code, relating to California Native Americans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 477—Baca. An act to amend Sections 22775 and 22920 of the Government Code, and to amend Section 12302.25 of the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

ASSEMBLY BILL NO. 478—Lieber. An act to amend Sections 3419 and 3423 of the Penal Code, relating to inmates.

ASSEMBLY BILL NO. 479—Parra. An act to add Section 140 to the Water Code, relating to water.

ASSEMBLY BILL NO. 480—Plescia. An act to amend Section 19604 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 481—Calderon. An act to amend Sections 7507.9 and 7507.12 of the Business and Professions Code, relating to collateral recovery.

ASSEMBLY BILL NO. 482—Hancock. An act to amend Section 60640 of the Education Code, relating to pupil assessment.

ASSEMBLY BILL NO. 483—Nunez. An act to amend Sections 18804 and 18808 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 484—Benoit. An act to amend Section 15656 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.

ASSEMBLY BILL NO. 485—Arambula. An act to add Part 12.5 (commencing with Section 15920) to Division 3 of Title 2 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 486—Leslie. An act to amend Section 5630 of the Public Resources Code, relating to parks.

ASSEMBLY BILL NO. 487—Nakanishi. An act to amend Section 15813.2 of the Government Code, relating to state buildings.

ASSEMBLY BILL NO. 488—Bermudez. An act to amend Sections 3145, 3146, 3147, 3147.6, 3148, 3150, 3152, and 3152.5 of, to amend and renumber Sections 3090.1, 3096, 3096.5, 3096.6, 3096.7, 3097, 3099, 3100, 3103, 3124, 3128, 3129, 3130, 3131, and 3135 of, to add Sections 3091, 3092, and 3110 to, to repeal Sections 3094, 3095, 3101, 3102, 3104, 3105, 3105.1, 3106, 3107, 3107.1, 3108, 3109, 3120, 3123, 3125, 3126, and 3127 of, and to repeal and add Section 3090 of, the Business and Professions Code, relating to optometry, and making an appropriation therefor.

ASSEMBLY BILL NO. 489—Bermudez. An act to amend Section 2196.1 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 490—Parra. An act to amend Section 20112 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 491—Goldberg. An act to amend Section 17071.75 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 492—Baca. An act to add Section 25210.8 to the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 493—Frommer. An act to amend Section 742.24 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 494—Montanez. An act relating to school facilities.

ASSEMBLY BILL NO. 495—Montanez. An act relating to water.

ASSEMBLY BILL NO. 496—Aghazarian. An act to amend Section 22350 of the Business and Professions Code, to amend Sections 412.10, 685.090, 1985.3, and 1985.6 of the Code of Civil Procedure, and to amend Section 4013 of the Penal Code, relating to service of process.

ASSEMBLY BILL NO. 497—Negrete McLeod. An act to amend Section 4161 of the Business and Professions Code, relating to pharmacy practices.

ASSEMBLY BILL NO. 498—Haynes. An act to add Section 4059.5 to the Family Code, relating to child support.

ASSEMBLY BILL NO. 499—Leno. An act to amend Section 2002 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 500—La Malfa. An act to amend Section 17564 of the Government Code, relating to state mandates.

ASSEMBLY BILL NO. 501—La Malfa. An act to add Section 10916 to the Water Code, relating to water.

ASSEMBLY BILL NO. 502—Cogdill. An act to amend Section 22101 of the Financial Code, relating to finance lenders.

ASSEMBLY BILL NO. 503—Lieber. An act to add Section 11216 to the Welfare and Institutions Code, relating to CalWORKs.

ASSEMBLY BILL NO. 504—Harman. An act to add Article 5.5 (commencing with Section 27389) to Chapter 6 of Division 2 of Title 3 of the Government Code, relating to electronic recording.

ASSEMBLY BILL NO. 505—Leno. An act to amend Section 3001 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 506—Montanez. An act to amend Section 32282 of, to add Section 51210.5 to, and to add Article 3.7 (commencing with Section 32239) to Chapter 2 of Part 19 of, the Education Code, relating to teen dating violence.

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

ASSEMBLY BILL NO. 508—Richman. An act to add Section 90.5 to the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 509—Richman. An act to add Section 149.7 to the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 510—Richman. An act to amend Section 90.3 of the Labor Code, relating to compensation.

ASSEMBLY BILL NO. 511—Richman. An act to add Title 19 (commencing with Section 99100) to the Government Code, relating to retirement.

ASSEMBLY BILL NO. 512—Richman. An act to amend Sections 1310 and 1320 of the Business and Professions Code, relating to clinical laboratories.

ASSEMBLY BILL NO. 513—Richman. An act to amend Sections 82002 and 86205 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 514—Richman. An act to add Section 21434 to the Government Code, and to add Section 4665 to the Labor Code, relating to public employee benefits.

ASSEMBLY BILL NO. 515—Richman (Coauthor: Canciamilla). An act to add Section 367.6 to the Public Utilities Code, relating to electrical restructuring.

ASSEMBLY BILL NO. 516—Yee. An act to amend Section 650.02 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 517—Hancock. An act to add Section 33333.9 to the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 518—Canciamilla. An act to amend Section 13320 of, and to add Section 13338.5 to, the Government Code, relating to the state budget.

ASSEMBLY BILL NO. 519—Leno. An act to amend Section 366.26 of the Welfare and Institutions Code, relating to children.

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

ASSEMBLY BILL NO. 521—Sharon Runner. An act relating to workers' compensation.

ASSEMBLY BILL NO. 522—Plescia. An act to amend Section 1261.6 of the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 523—Negrete McLeod. An act to amend Sections 94854 and 94920 of the Education Code, relating to private postsecondary education.

ASSEMBLY BILL NO. 524—Chan. An act to add Section 10170 to the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 525—Chu. An act to add Section 14148.033 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 526—Harman. An act to amend Section 11580.2 of the Insurance Code, relating to auto insurance.

ASSEMBLY BILL NO. 527—Levine. An act to amend Section 10089.7 of the Insurance Code, relating to earthquake insurance.

ASSEMBLY BILL NO. 528—Chan. An act to amend Section 1789.35 of the Civil Code, relating to check cashers.

ASSEMBLY BILL NO. 529—Goldberg. An act to amend Section 89536.1 of, and to add Section 89546.3 to, the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 530—Plescia. An act to add Section 14123.05 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 531—Levine. An act to amend Section 19423, and repeal Section 19424.5 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 532—Levine. An act to add Section 20118.2 to the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 533—Negrete McLeod. An act to amend Section 3247 of the Civil Code, relating to works of improvement.

ASSEMBLY BILL NO. 534—Montanez. An act to add Section 12433 to the Government Code, relating to state agency payments.

ASSEMBLY BILL NO. 535—Calderon. An act to amend Section 12100 of, to add Division 3.5 (commencing with Section 12500) to, and to repeal Section 12104 of, the Financial Code, relating to credit counselors.

ASSEMBLY BILL NO. 536—Liu. An act relating to horse racing industry.

ASSEMBLY BILL NO. 537—Maze. An act to amend Section 3099.2 of the Labor Code, relating to apprenticeship.

ASSEMBLY BILL NO. 538—Harman. An act to amend Sections 31453, 31454, and 31454.1 of the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 539—Daucher. An act to amend Section 17072.10 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 540—Liu. An act to add Section 99 to the Streets and Highways Code, relating to state highways.

ASSEMBLY BILL NO. 541—Harman. An act to amend Section 3041.5 of the Family Code, and to amend Sections 2341 and 2854 of the Probate Code, relating to guardians.

ASSEMBLY BILL NO. 542—Huff. An act to add Section 13510.8 to the Penal Code, relating to the Commission on Peace Officer Standards and Training.

ASSEMBLY BILL NO. 543—Houston. An act to add and repeal Section 4019.1 of the Penal Code, relating to the Contra Costa County jail.

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

ASSEMBLY BILL NO. 545—Garcia. An act to amend Section 6065 of the Penal Code, relating to correctional peace officers.

ASSEMBLY BILL NO. 546—Garcia. An act to add Section 8314.5 to the Government Code, relating to state computers.

ASSEMBLY BILL NO. 547—Berg and Richman (Coauthors: Bass, Calderon, Chan, Chu, Cohn, De La Torre, Dymally, Evans, Goldberg, Hancock, Jones, Koretz, Laird, Leno, Levine, Lieber, Montanez, Mullin, Oropeza, Pavley, Ridley-Thomas, Saldana, Salinas, and Vargas) (Coauthors: Senators Alquist, Chesbro, Kehoe, Kuehl, Lowenthal, Migden, and Romero). An act to amend Section 11364.7 of, and to add Chapter 18 (commencing with Section 121349) to Part 4 of Division 105 of, the Health and Safety Code, relating to clean needle and syringe exchange.

ASSEMBLY BILL NO. 548—Garcia. An act to add and repeal Section 6397 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 549—Salinas. An act to amend Section 65589.5 of, to add Sections 65585.3 and 65585.4 to, and to add and repeal Section 65585.2 of, the Government Code, relating to housing.

ASSEMBLY BILL NO. 550—Goldberg. An act relating to the Department of Corrections.

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

ASSEMBLY BILL NO. 552—La Suer. An act to amend Section 8616.5 of the Business and Professions Code, relating to structural pest control.

ASSEMBLY BILL NO. 553—La Suer. An act to amend Sections 1810 and 1815 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 554—Karnette. An act to amend Sections 12022.3 and 12022.8, relating to assault.

ASSEMBLY BILL NO. 555—La Malfa and Chavez (Principal coauthors: Senators Denham and Florez). An act to amend Section 5090.70 of the Public Resources Code, and to amend Section 38225 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 556—Gordon. An act to add Sections 21669.5 and 21669.7 to the Public Utilities Code, relating to aeronautics.

ASSEMBLY BILL NO. 557—Karnette. An act to amend Section 872 of the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 558—Emmerson and Bogh. An act to amend Section 29550 of the Government Code, relating to booking fees.

ASSEMBLY BILL NO. 559—Emmerson. An act to amend Section 33671 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 560—Emmerson. An act to amend Section 13146 of the Health and Safety Code, relating to fire protection.

ASSEMBLY BILL NO. 561—Montanez. An act to amend Section 2053.4 of the Penal Code, relating to prisons.

ASSEMBLY BILL NO. 562—Levine. An act to add Chapter 2.20 (commencing with Section 1399.880) to Division 2 of the Health and Safety Code, relating to health care.

ASSEMBLY BILL NO. 563—Karnette. An act to amend Sections 52616.17 and 52616.19 of, to repeal Section 52616.23 of, and to add Section 52616.26 to, the Education Code, relating to adult education.

ASSEMBLY BILL NO. 564—Karnette. An act to add Section 60401 to the Education Code, relating to instructional materials, and making an appropriation therefor.

ASSEMBLY BILL NO. 565—Plescia. An act to amend Section 19824 of the Government Code, relating to public employment.

ASSEMBLY BILL NO. 566—Bermudez. An act to amend Section 9886.2 of the Business and Professions Code, relating to automotive repair.

ASSEMBLY BILL NO. 567—Aghazarian. An act to add Section 25150.9 to the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 568—Garcia. An act relating to HIV.

ASSEMBLY BILL NO. 569—Garcia. An act to add Section 49437 to the Education Code, relating to pupil nutrition.

ASSEMBLY BILL NO. 570—Villines (Principal coauthor: Benoit). An act to amend Section 23152 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 571—Levine. An act relating to vehicles.

ASSEMBLY BILL NO. 572—Wolk. An act to amend Section 37252.2 of the Education Code, relating to supplemental instruction.

ASSEMBLY BILL NO. 573—Wolk. An act to repeal and add Section 2782 of the Civil Code, relating to indemnity.

ASSEMBLY BILL NO. 574—Wolk. An act to add Chapter 13.5 (commencing with Section 22210) to Division 8 of the Business and Professions Code, relating to recycled concrete.

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

ASSEMBLY BILL NO. 576—Wolk. An act to amend Section 120475 of the Health and Safety Code, relating to immunizations.

ASSEMBLY BILL NO. 577—Wolk. An act to add Section 7700 to the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 578—Shirley Horton. An act to amend Section 44010.5 of the Health and Safety Code, relating to vehicular air pollution.

ASSEMBLY BILL NO. 579—Emmerson. An act to amend Section 10750 of the Water Code, relating to water.

ASSEMBLY BILL NO. 580—Emmerson. An act to amend Section 1810 of the Water Code, relating to water.

ASSEMBLY BILL NO. 581—Klehs. An act to amend Section 1964 of the Labor Code, relating to firefighters.

ASSEMBLY BILL NO. 582—Matthews. An act to add Sections 18305 and 20011 to the Elections Code, relating to political advertisements.

ASSEMBLY BILL NO. 583—Hancock. An act to add Chapter 12 (commencing with Section 91015) to Title 9 of the Government Code, relating to the Political Reform Act of 1974, and making an appropriation therefor.

ASSEMBLY BILL NO. 584—Blakeslee. An act to repeal Chapter 14 (commencing with Section 8899.10) of Division 1 of Title 2 of the Government Code, relating to seismic safety, and making an appropriation therefor.

ASSEMBLY BILL NO. 585—Negrete McLeod. An act to amend Sections 22900, 22901, 22902, 22903, 22904, 22905, 22906, 22907, 22922, 22924, and 22925 of, and to amend the heading of Chapter 28 (commencing with Section 22900) of Division 8 of, the Business and Professions Code, relating to dealers.

ASSEMBLY BILL NO. 586—Negrete McLeod. An act to add Section 1797.153 to the Health and Safety Code, relating to emergency medical services.

ASSEMBLY BILL NO. 587—Negrete McLeod. An act relating to Medicare.

ASSEMBLY BILL NO. 588—Goldberg and Koretz. An act to add Section 11093.4 to the Government Code, relating to statistical districts.

ASSEMBLY BILL NO. 589—Emmerson (Coauthor: Senator McClintock). An act to amend Section 68130.5 of the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 590—Walters. An act to amend Section 65008 of the Government Code, relating to housing discrimination.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 11—Oropeza. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article XIX thereof, by amending Section 1 of Article XIXA thereof, and by amending Section 1 of, and adding Section 2 to, Article XIXB thereof, relating to transportation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 16—Wolk. Relative to the CHP Sergeant Gary R. Wagers Memorial Interchange.

ASSEMBLY CONCURRENT RESOLUTION NO. 17—Karnette. Relative to language education.

ASSEMBLY JOINT RESOLUTION NO. 7—Huff. Relative to ZIP Codes.

HOUSE RESOLUTION NO. 7—Sharon Runner. Relative to Endometriosis Awareness Month.

AUTHOR'S AMENDMENTS

Committee on Public Safety

February 16, 2005

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

Assembly Bill No. 35

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

LENO, Chair

ASSEMBLY BILL NO. 35—An act to amend Section 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.

REPORTS OF STANDING COMMITTEES

Committee on Public Safety

Date of Hearing: February 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 86

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

LENO, Chair

Above bill ordered to second reading.

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

SENATE BILL NO. 16—An act to repeal and add Section 803 of the Penal Code, relating to criminal procedure, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 22—An act relating to DNA identification, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 29—An act relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Thursday, February 17, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 16, 2005**

The following measure was amended in the Assembly on this day:

AB RN

35 0508417

Daily Total: 1

Cumulative Total: 16

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 17, 2005
TWENTY-SEVENTH SESSION DAY
SEVENTY-FOURTH 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
Thursday, February 17, 2005

The Assembly met at 7 a.m.

Hon. Dennis Mountjoy, Assembly Member, 59th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—52:

Arambula	Dymally	Laird	Niello
Baca	Evans	Leno	Parra
Bass	Frommer	Leslie	Pavley
Benoit	Garcia	Lieber	Runner
Berg	Goldberg	Liu	Ruskin
Bermúdez	Gordon	Matthews	Saldaña
Blakeslee	Hancock	Maze	Salinas
Canciamilla	Harman	Montañez	Strickland
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Huff	Mullin	Villines
Coto	Karnette	Nakanishi	Walters
De La Torre	Koretz	Nava	Wolk
DeVore	La Malfa	Negrete McLeod	Yee

Quorum present.

At 12:50 p.m., Hon. Betty Karnette, 54th 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 Aghazarian, Bogh, Calderon, Emmerson, Haynes, Jerome E. Horton, Houston, Keene, Klehs, La Suer, Levine, Nation, Núñez, Plescia, Richman, Ridley-Thomas, Spitzer, Torrico, Tran, Umberg, and Wyland.

On legislative business, and waiving per diem: Assembly Member Cogdill.

On legislative business, per diem waived for the 2005–2006 Session (See Assembly Journal, page 62): Assembly Member Jones.

On personal business, and waiving per diem: Assembly Members Daucher and McCarthy.

Because of illness: Assembly Members Chan, Cohn, and Oropeza.

EXPLANATIONS OF ABSENCE

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

January 31, 2005

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

Dear Mr. Speaker: I am writing today to request permission to travel to my district on Thursday, February 17, 2005 and Friday, February 18, 2005, for legislative business in my district.

If you have any questions please contact Cynthia Gonzalez at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member
Fifty-eighth District

February 15, 2005

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Check-In Session on Thursday, February 17, 2005, due to legislative business in my district. I will be returning to Sacramento on Friday, February 18, 2005, in time for Assembly Floor 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

February 7, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Check-in Session on Thursday, February 17, 2005 due to a district event.

If you have any questions, please contact Anne Volz in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

February 17, 2005

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

Dear Speaker Núñez,

I request to be excused from Check-in Session today, Thursday, February 17, 2005. I will be in San Francisco most of the day on legislative business attending a hearing on the Judicial Council of California.

Thank you,

DAVE JONES, Assembly Member
 Ninth District

February 11, 2005

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

Dear Speaker Núñez: I would like to request that I be excused from check-in session on Thursday, February 17, 2005. I have district business to attend to.

Thank you for your attention to this matter. If you have any questions or comments please feel free to contact me at (916) 319-2018.

Sincerely,

JOHAN KLEHS, Assembly Member
 Eighteenth District

February 16, 2005

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

Dear Mr. Speaker: I am requesting to be excused from check-in session tomorrow, Thursday, February 17, and regular session on Friday, February 18 on legislative business. I have an important meeting on Thursday and one on Friday morning that I cannot miss.

Thank you in advance for your consideration.

Sincerely,

JAY LA SUER, Assembly Member
 Seventy-seventh District

February 17, 2005

Assemblyman Fabian Núñez
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-in Session Thursday, February 17, for legislative business.

Thank you for your consideration of this request.

Sincerely,

LLOYD E. LEVINE, Assembly Member
Fortieth District

February 15, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session, Thursday, February 17, 2005 due to legislative business in my district office.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

February 17, 2005

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

Dear Dotson: This is to advise you that I will be out of town on legislative business on Thursday, February 17 and Friday, February 18, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 17, 2005

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

Dear Speaker Núñez: I respectfully request that I be excused from check-in today, February 17, 2005, in order that I may attend to legislative business in my district.

Thank you for your consideration in this matter. If you should have any questions, please call Connie in my capitol office any time at 916-319-2038.

Sincerely,

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

February 16, 2005

The Honorable Fabian Núñez
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 Thursday, February 17, 2005. 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

February 15, 2005

Office of Assembly Speaker Fabian Núñez

Please excuse me from check-in session Thursday, February 17, 2005. I will be conducting legislative business in my district.

Thank you,

ALBERTO TORRICO, Assembly Member
 Twentieth District

February 3, 2005

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

Dear Speaker Núñez,

I respectfully request to be excused from session on Thursday, February 17 so that I may be in my district on legislative business.

If you have any questions or concerns about this request, please contact Diane Pugh of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member
 Sixty-ninth District

February 16, 2005

The Honorable Fabian Núñez
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 Thursday, February 17, 2005, due to Legislative Business.

Thank you for your prompt attention to this request.

Sincerely,

MARK WYLAND, Assembly Member
 Seventy-fourth District

(NOTE: For letters explaining the absences of Assembly Members Aghazarian, Bogh, Emmerson, Haynes, Keene, Plescia, and Tran on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 15, 2005; for letter explaining the absence of Assembly Member Cogdill on this day on legislative business, and waiving per diem, see Assembly Daily Journal for February 15, 2005; for letter explaining the absence of Assembly Member Spitzer on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 16, 2005.)

COMMUNICATIONS

Proposed Initiatives

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 7, 2005, transmitting copies of the title, summary, and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

California Petroleum Commission.
Initiative Statute. SA 2004RF0036

Referred by the Speaker to the Committee on Utilities and Commerce.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Health to convene jointly with the Senate Health Committee and Subcommittee on Stem Cell Research Oversight, on Wednesday, March 9, 2005, in Room 4203;

Joint Legislative Audit Committee, on Wednesday, March 9, 2005, at 9 a.m., in Room 444.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 17, 2005

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

Assembly Bill No. 35

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 591—Yee. An act to amend Section 14464.5 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 592—Yee. An act to amend Section 2234.1 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 593—Frommer. An act to add Chapter 11.7 (commencing with Section 66970) to Part 40 of the Education Code, to amend Sections 11011 and 54221 of, and to add Part 11.5 (commencing with Section 15870) to Division 3 of Title 2 of, the Government Code, relating to state property, and making an appropriation therefor.

ASSEMBLY BILL NO. 594—Karnette. An act to amend Section 1812.644 of the Civil Code, relating to personal property.

ASSEMBLY BILL NO. 595—Negrete McLeod. An act to amend Sections 4037 and 4051 of, to add Section 4019.5 to, to repeal Section 4033 of, and to repeal and add Section 4123 of, the Business and Professions Code, relating to pharmacy.

ASSEMBLY BILL NO. 596—Chavez. An act to add Chapter 1 (commencing with Section 1500) to Part 6 of Division 2 of the Labor Code, relating to building maintenance services.

ASSEMBLY BILL NO. 597—Montanez. An act to amend Section 25395.96 of the Health and Safety Code, and to amend Section 13328.14 of the Water Code, relating to response actions.

ASSEMBLY BILL NO. 598—De La Torre. An act to add Section 511.4 to the Business and Professions Code, to amend Sections 1367 and 1375.7 of the Health and Safety Code, and to amend Sections 10133.5 and 10133.65 of the Insurance Code, relating to health care.

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

ASSEMBLY BILL NO. 600—Hancock. An act relating to pupil assessment.

ASSEMBLY BILL NO. 601—Berg (Coauthor: Senator Chesbro). An act to amend Section 7863 of the Fish and Game Code, relating to fish and game.

ASSEMBLY BILL NO. 602—Spitzer. An act to amend Section 1812.82 of the Civil Code, relating to health studios.

ASSEMBLY BILL NO. 603—Spitzer. An act to amend Section 6604, 6604.1, and 6605 of the Welfare and Institutions Code, relating to mental health.

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

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

ASSEMBLY BILL NO. 606—Levine. An act relating to civil rights.

ASSEMBLY BILL NO. 607—Goldberg. An act to amend Section 41601 of the Education Code, relating to school finance.

ASSEMBLY BILL NO. 608—Calderon. An act to amend Section 789 of the Insurance Code, relating to the Insurance Commissioner.

ASSEMBLY BILL NO. 609—Lieber and Ruskin. An act to amend Sections 2951 and 2952 of the Probate Code, relating to guardianships.

ASSEMBLY BILL NO. 610—Calderon. An act to amend Section 2890.2 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 611—Strickland. An act to amend Section 19984 of the Business and Professions Code, relating to gambling.

ASSEMBLY BILL NO. 612—Houston. An act relating to energy resources.

ASSEMBLY BILL NO. 613—Mountjoy. An act to amend Section 3208.1 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 614—Oropeza. An act relating to gaming.

ASSEMBLY BILL NO. 615—Vargas. An act to add Section 3351.7 to the Business and Professions Code, relating to hearing aids.

ASSEMBLY BILL NO. 616—Vargas. An act to amend Section 7598 of the Government Code, relating to public buildings.

ASSEMBLY BILL NO. 617—Benoit. An act to add Section 1596.8525 to the Health and Safety Code, relating to child day care.

ASSEMBLY BILL NO. 618—Cogdill. An act to amend Section 530.5 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 619—Leslie. An act to amend Sections 1365.1 and 1367.1 of the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 620—Negrete McLeod. An act to amend Sections 1335, 1336, 1337, 1339, and 1341 of the Penal Code, relating to criminal proceedings.

ASSEMBLY BILL NO. 621—Cogdill. An act to amend Sections 32734 and 33452 of the Food and Agricultural Code, relating to milk.

ASSEMBLY BILL NO. 622—Negrete McLeod. An act to amend Section 49431 of, and to repeal Section 49431.5 of, the Education Code, relating to pupil nutrition.

ASSEMBLY BILL NO. 623—Gordon. An act to add Section 33320.6 to the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 624—Montanez. An act to amend Section 12693.41 of, and to add Section 12693.701 to, the Insurance Code, and to amend Section 14011.7 of, and to add Section 14005.42 to, the Welfare and Institutions Code, relating to child health.

ASSEMBLY BILL NO. 625—Emmerson. An act to amend Section 1097 of the Government Code, relating to conflicts of interest.

ASSEMBLY BILL NO. 626—Matthews. An act to add and repeal Section 14107.14 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 627—Leslie. An act to amend Section 5009 of the Penal Code, relating to parolees.

ASSEMBLY BILL NO. 628—Strickland. An act to add Section 1502.1 to the Health and Safety Code, and to add Section 16015 to the Welfare and Institutions Code, relating to foster care.

ASSEMBLY BILL NO. 629—Chan. An act to amend Section 2960 of the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 630—Chu. An act to amend Section 22446.5 of, and to add Section 22443.4 to, the Business and Professions Code, relating to immigration consultants.

ASSEMBLY BILL NO. 631—Leno. An act to add Section 11839.65 to the Health and Safety Code, relating to narcotic treatment programs.

ASSEMBLY BILL NO. 632—Chu. An act relating to sex offenders.

ASSEMBLY BILL NO. 633—Benoit. An act to amend Sections 1596.859, 1596.8595, 1596.8895, and 1597.05 of the Health and Safety Code, relating to child day care facilities.

ASSEMBLY BILL NO. 634—Lieber (Coauthors: DeVore, Shirley Horton, Oropeza, and Pavley) (Coauthor: Senator Speier). An act to add Part 5 (commencing with Section 600) to Division 3 of the Family Code, relating to international marriage brokers.

ASSEMBLY BILL NO. 635—Bermudez. An act to amend Section 19877 of the Business and Professions Code, relating to gambling.

ASSEMBLY BILL NO. 636—Huff. An act relating to the Legislature.

ASSEMBLY BILL NO. 637—Huff. An act to amend Section 13369 of the Vehicle Code, as added by Section 12.5 of Chapter 952 of the Statutes of 2004, relating to vehicles.

ASSEMBLY BILL NO. 638—Huff (Coauthor: Senator Margett). An act to add Section 33681.15 to the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 639—Aghazarian. An act to amend Section 25205.16 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 640—Tran. An act to add Section 511.5 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 641—Montanez. An act to amend Section 11226 of the Business and Professions Code, relating to real estate.

ASSEMBLY BILL NO. 642—Negrete McLeod. An act to add Section 3600.7 to the Labor Code, relating to workers' compensation.

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

ASSEMBLY BILL NO. 644—Houston. An act to amend Section 21100 of the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 645—Houston. An act to amend Section 21100.1 of the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 646—Sharon Runner. An act to amend Section 273a of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 647—Koretz (Coauthors: Haynes, Karnette, and Mountjoy) (Coauthors: Senators Battin, Ducheny, and Margett). An act to amend Section 2118 of the Fish and Game Code, and to amend Section 121790 of the Health and Safety Code, relating to wild animals.

ASSEMBLY BILL NO. 648—Jones. An act to amend Section 65940 of the Government Code, to amend Sections 21092.1 and 21166 of, and to add Section 21083.10 to, the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 649—Parra. An act to amend Section 78700 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 650—Cogdill. An act to amend Sections 331.1 and 366.2 of the Public Utilities Code, relating to electrical restructuring.

ASSEMBLY BILL NO. 651—Levine. An act to amend Sections 14132.27 and 14132.100 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 652—Levine. An act to amend Section 12301.6 of the Welfare and Institutions Code, relating to inhome supportive services.

ASSEMBLY BILL NO. 653—Levine. An act to amend Section 1368.2 of the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 654—Berg and Levine. An act to add Chapter 3.95 (commencing with Section 7195) to Part 1 of Division 7 of the Health and Safety Code, relating to death.

ASSEMBLY BILL NO. 655—Leno. An act to add Chapter 9.7 (commencing with Section 8780) to Division 1 of Title 2 of the Government Code, relating to the California Arts Council Fund, and making an appropriation therefor.

ASSEMBLY BILL NO. 656—Hancock. An act to amend Section 48324 of the Education Code, relating to pupil attendance.

ASSEMBLY BILL NO. 657—Karnette. An act to amend Section 4076 of the Business and Professions Code, relating to pharmacies.

ASSEMBLY BILL NO. 658—Liu (Coauthors: Berg, Hancock, and Karnette) (Coauthors: Senators Kuehl and Romero). An act relating to inmates.

ASSEMBLY BILL NO. 659—Chan. An act to amend Section 33128.3 of the Education Code, relating to school district budgets, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 660—Villines. An act relating to group homes.

ASSEMBLY BILL NO. 661—Plescica. An act to amend Section 17010 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 662—La Suer. An act to add Title 8 (commencing with Section 945.6) to Part 2 of Division 2 of the Civil Code, and to add Section 337.17 to the Code of Civil Procedure, relating to construction defects, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 663—La Suer. An act to amend Section 4751 of the Penal Code, relating to local costs.

ASSEMBLY BILL NO. 664—Jones. An act to amend Section 2553 of the Family Code, relating to marital property.

ASSEMBLY BILL NO. 665—Salinas. An act to amend Section 51032 of the Government Code, relating to massage.

ASSEMBLY BILL NO. 666—Bermudez. An act to add Section 24412 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 667—Jones. An act to amend Section 17602 of the Family Code, relating to child support.

ASSEMBLY BILL NO. 668—La Suer. An act to amend Section 3051 of the Fish and Game Code, relating to hunting.

ASSEMBLY BILL NO. 669—La Suer. An act to add Section 1279.1 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 670—Goldberg. An act to amend Sections 17072.10 and 17074.10 of, and to repeal Sections 17017.6, 17017.7, and 17071.33 of, the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 671—Klehs. An act relating to taxation.

ASSEMBLY BILL NO. 672—Klehs. An act to amend Section 115825 of the Health and Safety Code, relating to reservoirs.

ASSEMBLY BILL NO. 673—Klehs. An act to amend Section 2012 of the Labor Code, relating to employment conditions.

ASSEMBLY BILL NO. 674—Klehs. An act to amend Section 2062 of the Labor Code, relating to car washes.

ASSEMBLY BILL NO. 675—Klehs. An act to repeal Sections 38203.5 and 38907 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 676—Berg (Coauthor: Senator Chesbro). An act to amend Section 445 of the Harbors and Navigation Code, relating to vessels.

ASSEMBLY BILL NO. 677—Parra. An act to amend Sections 667.1, 667.5, 1170.125, and 1192.7 of the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 678—Nakanishi. An act to add Section 14001 to the Unemployment Insurance Code, relating to California Workforce Investment Act, and making an appropriation therefor.

ASSEMBLY BILL NO. 679—Calderon. An act to amend Section 43700 of the Health and Safety Code, relating to emissions.

ASSEMBLY BILL NO. 680—Chan. An act to amend Section 48985 of, and to add Sections 48985.1 and 48985.2 to, the Education Code, relating to pupils.

ASSEMBLY BILL NO. 681—Vargas. An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 682—Karnette. An act to amend Sections 41505, 41505.5, and 41530 of, and to repeal Section 32228.6 of, the Education Code, relating to education finance.

ASSEMBLY BILL NO. 683—Salinas. An act relating to health care coverage.

ASSEMBLY BILL NO. 684—Sharon Runner. An act to amend Section 11364 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 685—Calderon. An act relating to the City of Montebello, and making an appropriation therefor.

ASSEMBLY BILL NO. 686—Chu. An act to amend Section 123822 of the Health and Safety Code, relating to children's services.

ASSEMBLY BILL NO. 687—Jerome Horton. An act to add Section 1170.5 to the Insurance Code, relating to investments.

ASSEMBLY BILL NO. 688—Matthews. An act to amend Sections 1324.2 and 1324.4 of, and to add Section 1324.15 to, the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 689—Nava. An act to add Sections 51210.6 and 51210.8 to the Education Code, relating to curriculum.

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

ASSEMBLY BILL NO. 691—Hancock. An act to amend Section 65460.7 of, and to add Section 65460.11 to, the Government Code, relating to transit village plans.

ASSEMBLY BILL NO. 692—Chan. An act to add Section 33128.31 to the Education Code, relating to the Alameda County Office of Education, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 693—Goldberg. An act to add Section 44227.9 to the Education Code, relating to teachers.

ASSEMBLY BILL NO. 694—Chan. An act to amend Section 44241 of the Health and Safety Code, relating to air resources.

ASSEMBLY BILL NO. 695—Mullin. An act to amend Section 1723 of the Civil Code, relating to retail sales.

ASSEMBLY BILL NO. 696—Chu. An act to add Sections 18901.55, 18920, and 18926 to, to repeal Sections 11265.2, 11265.3, and 18910 of, to repeal Chapter 4.6 (commencing with Section 10830) of Part 2 of Division 9 of, and to repeal and add Section 11265.1 of, the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 697—Oropeza. An act to amend Section 2101 of, and to amend the heading of Chapter 3 (commencing with Section 2100) of Division 3 of, the Streets and Highways Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 698—Haynes (Coauthor: Bermudez). An act to add Section 5015 to the Penal Code, relating to media access to prisons.

ASSEMBLY BILL NO. 699—Chan. An act to add Section 14105.9815 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 700—Jerome Horton. An act to amend Sections 69434, 69435.3, and 69436 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 701—Nava. An act to add Section 15814.37 to the Government Code, relating to state buildings.

ASSEMBLY BILL NO. 702—Koretz (Coauthor: Senator Florez). An act relating to nursing education.

ASSEMBLY BILL NO. 703—Houston. An act to amend Section 13555.2 of the Water Code, relating to water.

ASSEMBLY BILL NO. 704—Dymally. An act to add Chapter 6.4 (commencing with Section 2839) to Division 2 of the Business and Professions Code, relating to geriatric health care assistants.

ASSEMBLY BILL NO. 705—Nakanishi. An act to amend Section 21025.5 of the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 706—Parra. An act to add Article 4 (commencing with Section 89570) to Chapter 5 of Part 55 of the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 707—Hancock. An act to add Section 49605 to the Education Code, relating to pupil counseling.

ASSEMBLY BILL NO. 708—Karnette. An act to amend Section 8547.12 of the Government Code, relating to the California State University.

ASSEMBLY BILL NO. 709—Wolk. An act to amend Section 83124 of, and to add Section 85301.5 to, the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 710—Houston. An act to add Section 15563 to the Government Code, relating to economic development.

ASSEMBLY BILL NO. 711—Chan. An act to amend Section 12693.755 of the Insurance Code, relating to health insurance, and making an appropriation therefor.

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

ASSEMBLY BILL NO. 713—Torrico. An act to amend Section 2704.13 and 2704.16 of the Streets and Highways Code, and to amend Sections 3 and 4 of Chapter 697 of the Statutes of 2002, relating to transportation.

ASSEMBLY BILL NO. 714—Torrico. An act relating to transportation.

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

ASSEMBLY BILL NO. 716—Canciamilla. An act to Sections 518, 523, 525, and 526 of the Harbors and Navigation Code, relating to vessels.

ASSEMBLY BILL NO. 717—Gordon (Principal coauthor: Jerome Horton). An act to add Section 1254.3 to the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 718—Calderon. An act to amend Section 1798.90.1 of the Civil Code, relating to driver's licenses.

ASSEMBLY BILL NO. 719—Canciamilla. An act to add Section 31520.12 to the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 720—Villines. An act to add Section 89005.7 to the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 721—Nunez. An act to add Chapter 2 (commencing with Section 42100) to Part 3 of Division 30 of the Public Resources Code, relating to metal plating facilities, and making an appropriation therefor.

ASSEMBLY BILL NO. 722—Emmerson and Mountjoy. An act to amend Section 214.1 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 723—Chu. An act to add Section 51231 to the Education Code, relating to public school curriculum.

ASSEMBLY BILL NO. 724—Shirley Horton. An act to amend Section 20133 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 725—Canciamilla. An act to add Sections 9145 and 65040.7 to the Government Code, relating to appropriations.

ASSEMBLY BILL NO. 726—Goldberg. An act to add Section 60642.7 to the Education Code, relating to pupil assessment.

ASSEMBLY BILL NO. 727—Bermudez. An act to amend Section 40051 of the Public Resources Code, relating to solid waste.

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

ASSEMBLY BILL NO. 729—Koretz. An act to amend Sections 510, 1647.5, 1720, 1725.5, 1746, 1748, 1775.2, 1775.4, 1775.5, 12921.1, 12921.15, and 12921.3 of, and to add Sections 1681.5, 1736.5, and 1746.1 to, the Insurance Code, and to amend Section 12636.5 of, and to repeal Section 12253.5 of, the Revenue and Taxation Code, relating to insurance production agencies.

ASSEMBLY BILL NO. 730—Chavez. An act to amend Section 22009 of the Financial Code, relating to finance lenders.

ASSEMBLY BILL NO. 731—Chavez. An act relating to the recording industry.

ASSEMBLY BILL NO. 732—Leslie. An act to add Chapter 1.5 (commencing with Section 15365.75) to Part 6.7 of Division 3 of Title 2 of the Government Code, relating to neighborhoods.

ASSEMBLY BILL NO. 733—Nation. An act to amend Section 43.92 of the Civil Code, relating to personal rights.

ASSEMBLY BILL NO. 734—Parra. An act to amend Section 6350 of the Penal Code, relating to endangered species.

ASSEMBLY BILL NO. 735—Arambula. An act to add Section 9145 to the Government Code, relating to taxes.

ASSEMBLY BILL NO. 736—Jerome Horton. An act to amend Section 851 of the Public Utilities Code, relating to the regulation of public utilities.

ASSEMBLY BILL NO. 737—Jerome Horton. An act relating to electricity.

ASSEMBLY BILL NO. 738—Nation. An act to amend Section 2121 of the Elections Code, relating to voting.

ASSEMBLY BILL NO. 739—Nation. An act to amend Section 85310 of the Government Code, relating to political communications.

ASSEMBLY BILL NO. 740—Huff. An act to repeal and add Section 47634.5 of, and to repeal Section 47634 of, the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 741—Goldberg. An act to add Section 51207 to the Education Code, relating to courses of study.

ASSEMBLY BILL NO. 742—Jones and Bogh. An act to add Section 1231.4 to the Government Code, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 743—Strickland. An act to amend Section 602 of the Welfare and Institutions Code, relating to minors.

ASSEMBLY BILL NO. 744—Oropeza. An act to amend Section 23790 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 745—Blakeslee. An act to amend Section 625 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 746—Blakeslee. An act to add Section 755 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 747—Blakeslee. An act to add Section 19991.12 to the Government Code, relating to public employment.

ASSEMBLY BILL NO. 748—Wolk. An act to amend Section 14666.8 of the Government Code, relating to state property.

ASSEMBLY BILL NO. 749—Leno (Principal coauthor: Berg). An act to amend Sections 8280 and 12002 of, and to add Sections 8276.1 and 8280.8 to, the Fish and Game Code, relating to Dungeness crab.

ASSEMBLY BILL NO. 750—Mullin. An act to amend Section 77201.1 of the Government Code, relating to trial court funding.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 18—Gordon. Relative to American Stroke Month 2005.

ASSEMBLY CONCURRENT RESOLUTION NO. 19—Mullin (Principal coauthor: Senator Dunn). Relative to Irish-American Heritage Month.

REPORTS OF STANDING COMMITTEES

Committee on Education

Date of Hearing: February 16, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Concurrent Resolution No. 6

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.

GOLDBERG, Chair

Above resolution ordered to Consent Calendar.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 86—An act to amend Section 11108 of the Penal Code, relating to firearms.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 6:30 a.m., Friday, February 18, 2005.

LELAND Y. YEE, Speaker pro Tempore

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 17, 2005**

The following measure was amended in the Assembly on this day:

AB RN

86 0508550

Daily Total: 1

Cumulative Total: 17

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 18, 2005
TWENTY-EIGHTH SESSION DAY
SEVENTY-FIFTH 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, February 18, 2005

The Assembly met at 6:30 a.m.

Hon. Dennis Mountjoy, Assembly Member, 59th District,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—55:

Aghazarian	De La Torre	Jones	Negrete McLeod
Arambula	DeVore	Keene	Niello
Baca	Dymally	Koretz	Parra
Benoit	Evans	Laird	Pavley
Berg	Frommer	Leno	Plescia
Bermúdez	Garcia	Leslie	Runner
Bogh	Goldberg	Levine	Ruskin
Canciamilla	Gordon	Matthews	Saldaña
Chan	Hancock	Montañez	Spitzer
Chavez	Harman	Mountjoy	Strickland
Chu	Haynes	Mullin	Torrico
Cohn	Horton, Shirley	Nakanishi	Umberg
Coto	Houston	Nation	Villines
Daucher	Huff	Nava	

Quorum present.

At 2:15 p.m., Hon. Lynn Daucher, 72nd 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 Bass, Blakeslee, Calderon, Cogdill, Jerome E. Horton, Karnette, Klehs, La Malfa, La Suer, Lieber, Liu, Maze, McCarthy, Núñez, Richman, Ridley-Thomas, Salinas, Tran, Vargas, Wyland, and Yee.

On legislative business, per diem waived for the 2005–2006 Session (See Assembly Journal, page 63): Assembly Member Wolk.

On personal business, and waiving per diem: Assembly Members Emmerson and Walters.

Because of illness: Assembly Member Oropeza.

EXPLANATIONS OF ABSENCE

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

February 8, 2005

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

Dear Speaker Núñez: Please grant me a waiver from session on February 18, 2005. I will be in my district conducting legislative business.

If you have any question regarding this request, please contact my Chief of Staff, Nolic Edwards at 319-2047.

Sincerely,

KAREN BASS, Assembly Member
Forty-seventh District

February 15, 2005

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

Dear Speaker Núñez: The purpose of this letter is to respectfully request to be excused from session on Friday, February 18, 2005 as I must be in my district on legislative business.

Thank you for your consideration. Please contact me at (916) 319-2033 with any questions.

Sincerely,

SAM BLAKESLEE, Assembly Member
Thirty-third District

January 17, 2005

The Honorable Fabian Núñez
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, February 18, 2005. I will be in my district on legislative business. In the event that session is called, I can be in Sacramento well within the designated period of time.

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

February 17, 2005

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Floor Session on Friday, February 18, 2005, due to serious legislative concerns and constituent issues in my district. I will be returning to Sacramento on Tuesday, February 22, 2005, in time for Assembly Floor 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

February 10, 2005

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

Dear Mr. Speaker: Please excuse me from Session on Friday, February 18, 2005 due to legislative business in my district.

Sincerely,

BETTY KARNETTE, Assembly Member
Fifty-fourth District

February 17, 2005

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

Dear Speaker Núñez: I would like to request that I be excused from check-in session on Friday February 18, 2005. I have district business to attend to.

Thank you for your attention to this matter. If you have any questions or comments please feel free to contact me at (916) 319-2018.

Sincerely,

JOHAN KLEHS, Assembly Member
Eighteenth District

January 3, 2005

The Honorable Fabian Núñez
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, February 18, 2005. I will be in my district attending to legislative business.

Thank you for your consideration of this matter. If you have any questions or concerns, please contact me at 319-2002.

Sincerely,

DOUG LA MALFA, Assembly Member
Second District

February 18, 2005

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

Dear Speaker Núñez: I would like to be excused from check-in session on February 18, 2005 due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Cory Jaspersen at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

February 17, 2005

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-in Session on Friday, February 18 due to legislative business in the District Office.

Please contact my assistant, Robin Robinson at x2470 if you have any questions.

Thank you for your favorable consideration of this request.

Sincerely,

CAROL LIU, Assembly Member
Forty-fourth District

February 15, 2005

*Speaker Fabian Núñez
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez,

I respectfully request your permission to be excused from Regular Session on Friday, February 18, 2005 to return to the district for a speaking engagement that was set up months ago. At the time I agreed to speak, I did not anticipate session being called on this particular Friday.

Please contact my office with any questions. Thank you in advance for your consideration of my request.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

February 11, 2005

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

Dear Speaker Núñez: This letter is to respectfully request an excuse from Session Friday, February 18, 2005. I will be attending to legislative business in my district.

If you have any questions, please contact Julie Sauls at 319-2032.

Thank you for your attention to this request.

Sincerely,

KEVIN MCCARTHY, Assembly Member
Thirty-second District

February 15, 2005

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

Dear Speaker Núñez: I respectfully request that I be absent from session Friday, February 18, 2005 due to legislative business. I will be attending a health conference in Oakland.

Thank you for your consideration in this matter. If you should have any questions, please call Connie in my capitol office any time at 916-319-2038.

Sincerely,

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

January 26, 2005

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

Dear Mr. Speaker: I write to request permission to be excused from Session on Friday, February 18. I have Legislative commitments in my District.

Thank you for your assistance in this matter. If you have any 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

February 15, 2005

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

Dear Mr. Speaker: I am writing to respectfully request to be excused from Floor Session on Friday, February 18, 2005. I will be in my district attending to important legislative business.

I will be attending the Town Hall meeting sponsored by the state Senate Budget and Fiscal Review subcommittee on education which is being held in my district at the Salinas Community Center.

If you have any questions regarding this request, please feel free to call Jalene Romo in my Capitol Office.

Sincerely,

SIMÓN SALINAS, Assembly Member
Twenty-eighth District

February 16, 2005

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

Dear Mr. Speaker,

I respectfully request permission to be excused from Assembly session and all legislative matters in the Capitol for February 18, 2005. I will be conducting legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JUAN VARGAS, Assembly Member
Seventy-ninth District

February 18, 2005

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

Dear Speaker Núñez: I respectfully request to be excused from Check-in Session today, February 18, 2005, due to legislative business in my district.

If you have any questions or concerns, please contact Jenn Short, my scheduler, at 319-2008.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

February 15, 2005

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Floor Session on Friday, February 18, 2005, due to Legislative Business.

Thank you for your prompt attention to this request.

Sincerely,

MARK WYLAND, Assembly Member
Seventy-fourth District

February 17, 2005

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

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Friday February 18. I will be in my district during this time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
Speaker pro Tempore

(NOTE: For letters explaining the absences of Assembly Members Calderon, La Suer, and Núñez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 17, 2005; for letter explaining the absence of Assembly Member Tran on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 15, 2005.)

SPECIAL COMMITTEE MEETINGS

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

Higher Education to convene jointly with the Senate Health Committee on University of California Medical School Admissions and Shortages in the Health Care Workforce, on Wednesday, February 23, 2005, at 1:30 p.m., in Room 4203.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 18, 2005

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

Assembly Bill No. 86

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 18, 2005

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

Assembly Concurrent Resolution No. 6

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 751—Chu. An act to amend Section 1296 of the Education Code, relating to school employees.

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

ASSEMBLY BILL NO. 753—Gordon. An act to amend Sections 25658, 25658.2, 25658.5, and 25662 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 754—Jones. An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 12001, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12084, and 12086 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, and to repeal and add Sections 12071 and 12083 of, the Penal Code, relating to firearms.

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

ASSEMBLY BILL NO. 756—Goldberg. An act relating to public schools.

ASSEMBLY BILL NO. 757—Chan. An act relating to health care.

ASSEMBLY BILL NO. 758—Calderon. An act to amend Section 2782 of the Civil Code, relating to construction contracts.

ASSEMBLY BILL NO. 759—Lieber. An act to add Section 7158.4 to the Health and Safety Code, relating to organ donation.

ASSEMBLY BILL NO. 760—Nava. An act to amend Sections 851.5, 1170, 1170.3, and 1203.016 of, and to add Sections 833.2 and 13517.7 to, the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 761—Jones. An act to add Section 1276.15 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 762—Koretz. An act to add Chapter 10.5 (commencing with Section 7430) to Division 3 of the Business and Professions Code, relating to animal groomers.

ASSEMBLY BILL NO. 763—Tran. An act to add Section 1091.6 to the Government Code, relating to public agencies.

ASSEMBLY BILL NO. 764—Calderon. An act to amend Section 25660 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 765—Salinas. An act to amend Section 14035.55 of the Government Code, relating to transportation.

ASSEMBLY BILL NO. 766—Chavez. An act to add Chapter 33 (commencing with Section 22948) to Division 8 of the Business and Professions Code, relating to the Internet.

ASSEMBLY BILL NO. 767—Mullin. An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 768—Nation. An act to add Section 54.9 to the Civil Code, relating to touch-screen devices.

ASSEMBLY BILL NO. 769—Jerome Horton. An act to add Section 17980.12 of the Health and Safety Code, relating to residential real property.

ASSEMBLY BILL NO. 770—Mullin. An act to add Chapter 11 (commencing with Section 1380) to Title 6 of Part 4 of Division 2 of the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 771—Saldana. An act relating to coastal resources.

ASSEMBLY BILL NO. 772—Chan. An act to relating to health care coverage.

ASSEMBLY BILL NO. 773—Mullin. An act to amend Section 65589.5 of the Government Code, relating to housing.

ASSEMBLY BILL NO. 774—Chan. An act to add Article 3 (commencing with Section 127400) to Chapter 2 of Part 2 of Division 107 of the Health and Safety Code, relating to hospitals.

ASSEMBLY BILL NO. 775—Yee. An act to add Section 36 to the Business and Professions Code, to add Part 8 (commencing with Section 296) to Division 2 of the Family Code, to add Sections 27 and 68564.5 to the Government Code, to add Section 29 to the Health and Safety Code, to add Section 49 to the Insurance Code, to add Section 30 to the Labor Code, and to add Section 26.5 to the Welfare and Institutions Code, relating to interpreters.

ASSEMBLY BILL NO. 776—Chu. An act to amend Section 11165.9 of the Penal Code, relating to child abuse reporting.

ASSEMBLY BILL NO. 777—Nunez. An act to relating to economic development.

ASSEMBLY BILL NO. 778—Mullin. An act to amend Section 11580.1 of the Insurance Code, relating to auto insurance.

ASSEMBLY BILL NO. 779—De La Torre. An act to add Section 14018.15 to the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 780—Chu. An act to amend Section 11125.1 of the Government Code, relating to public meetings.

ASSEMBLY BILL NO. 781—Leno. An act to amend Section 7060 of the Government Code, relating to rental property.

ASSEMBLY BILL NO. 782—Mullin. An act relating to housing.

ASSEMBLY BILL NO. 783—Jones (Coauthor: Niello) (Coauthors: Senators Cox and Ortiz). An act to amend Section 13001 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 784—Garcia. An act relating to SAFE teams, and making an appropriation therefor.

ASSEMBLY BILL NO. 785—Karnette. An act to amend Sections 505.2, 11400, 11405, and 11406 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 786—Ruskin. An act to repeal and amend Section 1798.29 of the Civil Code, relating to identity theft.

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

ASSEMBLY BILL NO. 788—Montanez. An act to add Section 1597.625 to the Health and Safety Code, relating to child day care.

ASSEMBLY BILL NO. 789—Lieber. An act to add Title 9 (commencing with Section 14100) to Part 4 of the Penal Code, relating to disabled persons.

ASSEMBLY BILL NO. 790—Yee. An act relating to international trade.

ASSEMBLY BILL NO. 791—Lieber. An act to amend Section 1940 of the Civil Code, relating to tenancy.

ASSEMBLY BILL NO. 792—Ruskin. An act to amend Section 5561 of the Public Resources Code, relating to parks.

ASSEMBLY BILL NO. 793—Benoit. An act to repeal and add Article 8.6 (commencing with Section 1158) of Chapter 4 of Part 1 of Division 1 of the Unemployment Insurance Code, relating to unemployment.

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

ASSEMBLY BILL NO. 795—Ridley-Thomas. An act to amend Section 830.3 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 796—Wolk. An act to amend Section 18339 of the Education Code, relating to library districts.

ASSEMBLY BILL NO. 797—Wolk. An act to amend Section 29739 of the Public Resources Code, relating to the Sacramento-San Joaquin Delta.

ASSEMBLY BILL NO. 798—Wolk. An act relating to public resources.

ASSEMBLY BILL NO. 799—Leno. An act to add Part 5.6 (commencing with Section 11160) to Division 2 of the Revenue and Taxation Code, relating to local government finance.

ASSEMBLY BILL NO. 800—Yee. An act relating to health care.

ASSEMBLY BILL NO. 801—Jones (Coauthor: Senator Ortiz). An act to add Section 5442.12 to the Business and Professions Code, relating to outdoor advertising.

ASSEMBLY BILL NO. 802—Wolk. An act to amend Section 65302 of the Government Code, relating to local planning.

ASSEMBLY BILL NO. 803—La Suer. An act to add Section 12306.4 to the Welfare and Institutions Code, relating to inhome supportive services.

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

ASSEMBLY BILL NO. 805—Chu. An act to add Section 6713 to the Labor Code, relating to occupational safety and health.

ASSEMBLY BILL NO. 806—La Suer. An act to amend Section 30166 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 807—La Suer. An act to amend Section 288 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 808—La Suer. An act to amend Section 11350 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 809—La Suer. An act to add Section 679.031 to the Penal Code, relating to victims of crime, and making an appropriation therefor.

ASSEMBLY BILL NO. 810—Parra and McCarthy (Coauthors: Senators Ashburn and Florez). An act to add and repeal Sections 17053.62, 17255.5, 23662, and 24356.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 811—Matthews. An act to add Division 2.75 (commencing with Section 1825) to the Health and Safety Code, and to add Division 8.75 (commencing with Section 9800) to the Welfare and Institutions Code, relating to health and human services.

ASSEMBLY BILL NO. 812—Mathews. An act to add Division 2.8 (commencing with Section 1850) to the Health and Safety Code, and to add Division 8.8 (commencing with Section 9825) to the Welfare and Institutions Code, relating to health and human services.

ASSEMBLY BILL NO. 813—Baca. An act to amend Section 123620 of the Health and Safety Code, relating to fetal ultrasound.

ASSEMBLY BILL NO. 814—Cogdill. An act relating to firearms.

ASSEMBLY BILL NO. 815—Lieber (Coauthor: Chan). An act to amend Sections 142.3, 144.6, 147, 147.1, and 147.2 of the Labor Code, relating to occupational safety and health.

ASSEMBLY BILL NO. 816—Lieber (Coauthor: Chu). An act to amend Section 147.2 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 817—Mathews. An act relating to workers' compensation.

ASSEMBLY BILL NO. 818—Leslie. An act to add Section 56743.5 to the Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local agencies.

ASSEMBLY BILL NO. 819—Ridley-Thomas. An act to add and repeal Article 13.52 (commencing with Section 18847) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 820—Strickland. An act to amend Section 14839.1 of the Government Code, relating to public contracts.

ASSEMBLY BILL NO. 821—Ridley-Thomas. An act to add Section 2105.5 to the Elections Code, relating to voter registration.

ASSEMBLY BILL NO. 822—Benoit. An act to amend Section 212 of the Labor Code, relating to employment.

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

ASSEMBLY BILL NO. 824—Chu. An act to amend Section 11401.1 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 825—Levine. An act relating to air pollution.

ASSEMBLY BILL NO. 826—Nava. An act relating to agriculture.

ASSEMBLY BILL NO. 827—Goldberg. An act to amend Section 94838 of the Education Code, relating to private postsecondary education.

ASSEMBLY BILL NO. 828—Cohn. An act to amend Section 66025.3 of the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 829—Daucher. An act to amend Section 56501 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 830—Sharon Runner. An act to amend Sections 17053.70, 17053.74, 23612.2, and 23622.7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 831—Committee on Education (Goldberg (Chair), Arambula, Coto, Hancock, Liu, Mullin, and Pavley). An act to amend Section 49436 of, to amend, repeal, and add Section 52124.5 of, and to repeal Section 32228.6 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 832—Committee on Education (Goldberg (Chair), Arambula, Coto, Hancock, Liu, Mullin, and Pavley). An act to amend Section 48980 of the Education Code, relating to education.

ASSEMBLY BILL NO. 833—Committee on Education (Goldberg (Chair), Arambula, Coto, Hancock, Liu, Mullin, and Pavley). An act to amend Section 52055.640 of the Education Code, relating to the High Priority Schools Grant Program, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 834—Jones. An act to amend Section 19549.6 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 835—Huff. An act to amend Section 5019 of the Education Code, relating to school districts.

ASSEMBLY BILL NO. 836—Huff. An act to amend Section 13320 of the Government Code, relating to state finances.

ASSEMBLY BILL NO. 837—Benoit. An act to amend Section 106 of the Insurance Code, relating to health insurance.

ASSEMBLY BILL NO. 838—Saldana. An act to add and repeal Sections 17052.11 and 23611 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 839—Torrice. An act to add Article 17 (commencing with Section 19985) to Chapter 5 of Division 8 of the Business and Professions Code, relating to gambling.

ASSEMBLY BILL NO. 840—Arambula. An act to amend Section 94802 of, and to add Sections 94735.7, 94740.1, 94906, and 94916 to, the Education Code, relating to private postsecondary education.

ASSEMBLY BILL NO. 841—Arambula. An act to amend Section 39619.5 of the Health and Safety Code, relating to air quality.

ASSEMBLY BILL NO. 842—Arambula. An act to add Section 13279.5 to the Welfare and Institutions Code, relating to refugee assistance.

ASSEMBLY BILL NO. 843—Nunez. An act to amend Section 22251 of, and to add Section 22253.1 to, the Business and Professions Code, relating to tax preparers.

ASSEMBLY BILL NO. 844—Negrete McLeod. An act to amend Section 21623 of the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 845—Ridley-Thomas. An act to add and repeal Sections 6377, 17053, and 23650 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 846—Liu. An act to amend Section 51220.6 of the Education Code, and to amend Section 11101 of the Vehicle Code, relating to driver education.

ASSEMBLY BILL NO. 847—Berg. An act to add Section 14598 to the Welfare and Institutions Code, relating to the elderly.

ASSEMBLY BILL NO. 848—Berg. An act to add Part 1.5 (commencing with Section 7000) to Division 6 of the Fish and Game Code, relating to marine conservation.

ASSEMBLY BILL NO. 849—Berg. An act to add Chapter 2.5 (commencing with Section 7059.5) to Part 1.7 of Division 6 of the Fish and Game Code, relating to fisheries.

ASSEMBLY BILL NO. 850—Canciamilla (Principal coauthor: Benoit) (Principal coauthor: Senator Runner). An act to amend Section 143 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 851—Koretz. An act to amend Section 299 of, and to add Chapter 16 (commencing with Section 1425) to Title 10 of Part 2 of, the Penal Code, relating to criminal records.

ASSEMBLY BILL NO. 852—Leno (Coauthor: Torrice). An act to amend Section 1190 of the Harbors and Navigation Code, relating to ports and harbors, and making an appropriation therefor.

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

ASSEMBLY BILL NO. 854—Bass. An act to amend Sections 14839 and 14839.1 of the Government Code, relating to small business programs.

ASSEMBLY BILL NO. 855—Bass. An act to add Section 18917 to, and to repeal and add Section 11251.3 of, the Welfare and Institutions Code, relating to CalWORKs, and making an appropriation therefor.

ASSEMBLY BILL NO. 856—Bass. An act to amend Section 32850 of the Public Resources Code, relating to land conservation.

ASSEMBLY BILL NO. 857—Bass. An act to amend Section 9250.19 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

ASSEMBLY BILL NO. 858—Bass. An act to amend Section 11999.5 of the Health and Safety Code, relating to substance abuse and crime prevention, and making an appropriation therefor.

ASSEMBLY BILL NO. 859—Bass. An act to amend Section 2069 of the Business and Professions Code, relating to medical assistants.

ASSEMBLY BILL NO. 860—Bass. An act relating to arrested persons.

ASSEMBLY BILL NO. 861—Bass. An act to amend Section 480 of the Business and Professions Code, relating to professions and vocations.

ASSEMBLY BILL NO. 862—Bass. An act relating to inmates.

ASSEMBLY BILL NO. 863—Bass. An act to add Chapter 12.7 (commencing with Section 18985) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to children.

ASSEMBLY BILL NO. 864—Levine. An act to add Chapter 2.5 (commencing with Section 104700) to Part 3 of Division 103 of the Health and Safety Code, relating to physical fitness.

ASSEMBLY BILL NO. 865—Ruskin. An act to add Section 22064 to the Financial Code, relating to finance lenders.

ASSEMBLY BILL NO. 866—Yee (Principal coauthors: Senators Kehoe, Kuehl, and Migden) (Coauthors: Goldberg, Laird, and Leno). An act to amend Section 20440 of the Elections Code, relating to the Code of Fair Campaign Practices.

ASSEMBLY BILL NO. 867—Liu. An act to add Division 4.5 (commencing with Section 4500) to the Elections Code, relating to voting.

ASSEMBLY BILL NO. 868—Liu. An act to amend Sections 3017, 3020, and 3311 of the Elections Code, relating to absentee voting.

ASSEMBLY BILL NO. 869—Ruskin. An act to amend Section 73510 of the Water Code, relating to water.

ASSEMBLY BILL NO. 870—Bermudez. An act to amend Section 66025 of the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 871—Keene. An act to amend Sections 4600.3, 4600.5, and 4600.7 of, and to repeal Section 4614 of, the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 872—Bogh. An act to add Section 39843 to the Education Code, relating to schoolbuses.

ASSEMBLY BILL NO. 873—Bogh. An act to amend Section 2071 of, and to add Section 2084 to, the Insurance Code, relating to homeowners' insurance.

ASSEMBLY BILL NO. 874—Wolk. An act to add Chapter 5 (commencing with Section 3860) to Part 2 of Division 4 of the Fish and Game Code, relating to wildlife.

ASSEMBLY BILL NO. 875—Koretz and Jerome Horton (Coauthors: Chu, Hancock, and Leno). An act to add Sections 511.1, 559, and 1197.2 to the Labor Code, relating to employee wages and working hours.

ASSEMBLY BILL NO. 876—Garcia. An act to add Section 2168.5 to the Elections Code, relating to voter information.

ASSEMBLY BILL NO. 877—Huff. An act to amend Section 22651 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 878—Chavez. An act to amend Section 2225 of the Civil Code, relating to felonies, and making an appropriation therefor.

ASSEMBLY BILL NO. 879—Torrice. An act to amend Sections 98 and 98.2 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 880—Cohn. An act to amend Section 300.2 of, and to add Sections 361.31, 361.32, 361.33, and 361.34 to, the Welfare and Institutions Code, relating to dependent children.

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

ASSEMBLY BILL NO. 882—Nation. An act to amend Section 47601 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 883—Plescica. An act to amend Section 47612.1 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 884—Baca. An act to add Section 19135 to the Government Code, relating to state employees.

ASSEMBLY BILL NO. 885—Keene. An act to amend Sections 1788.2, 2924f, and 2924g of the Civil Code, relating to mortgages.

ASSEMBLY BILL NO. 886—Committee on Business and Professions (Negrete McLeod (Chair), Shirley Horton (Vice Chair) Bass, Frommer, Koretz, Maze, Nation, Tran, Vargas, and Yee). An act to amend Section 7197 of the Business and Professions Code, relating to construction.

ASSEMBLY BILL NO. 887—Villines. An act to amend Section 4590 of the Public Resources Code, relating to forest practices.

ASSEMBLY BILL NO. 888—De La Torre. An act to add Article 9 (commencing with Section 40550) to Chapter 5.5 of Part 3 of Division 26 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 889—Ruskin (Coauthors: Koretz and Negrete McLeod). An act to amend Section 12240, and to repeal Section 12246 of the Business and Professions Code, relating to weights and measures.

ASSEMBLY BILL NO. 890—Cogdill. An act relating to housing.

ASSEMBLY BILL NO. 891—DeVore. An act to amend Section 82048.4 of, and to add Section 84203.4 to, the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 892—Cogdill. An act to amend Section 22978.4 of the Business and Professions Code, relating to cigarettes and tobacco products.

ASSEMBLY BILL NO. 893—Shirley Horton. An act to amend Section 3003 of the Penal Code, and to amend Section 6607 of the Welfare and Institutions Code, relating to sex offenders.

ASSEMBLY BILL NO. 894—La Suer. An act to add Chapter 13.5 (commencing with Section 4989.1) to Division 2 of the Business and Professions Code, relating to professional counselors.

ASSEMBLY BILL NO. 895—Walters. An act relating to the environment.

ASSEMBLY BILL NO. 896—Matthews. An act to amend Section 4052.1 of, and to add Section 1209.2 to, the Business and Professions Code, relating to pharmacists.

ASSEMBLY BILL NO. 897—Coto. An act to add Section 56353 to the Education Code, relating to public schools.

ASSEMBLY BILL NO. 898—Maze (Coauthors: Baca, Benoit, Koretz, and Niello) (Coauthor: Senator Runner). An act to amend Section 44014.5 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 899—Ridley-Thomas. An act to add Section 12303.45 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 900—Benoit. An act to amend Section 830.11 of the Penal Code, relating to investigators.

ASSEMBLY BILL NO. 901—Ridley-Thomas. An act to add Section 53066.7 to the Government Code, relating to community telecommunications.

ASSEMBLY BILL NO. 902—Bogh. An act to amend Section 19827.3 of the Government Code, relating to state employees.

ASSEMBLY BILL NO. 903—De La Torre. An act to amend Section 53066.3 of the Government Code, relating to cable television.

ASSEMBLY BILL NO. 904—Houston. An act to add Section 511.5 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 905—Houston. An act to amend Section 13997 of the Government Code, relating to international trade.

ASSEMBLY BILL NO. 906—Houston. An act to add Sections 17052.14 and 23614 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 907—Canciamilla. An act relating to the public guardian.

ASSEMBLY BILL NO. 908—Chu. An act to amend Section 100333 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 909—Chavez. An act to add Section 1345.5 to the Health and Safety Code, and to add Section 10127.17 to the Insurance Code, relating to health care coverage.

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

ASSEMBLY BILL NO. 911—Chu. An act to amend Sections 441, 451, and 452 of, and to add Sections 7056.4, 17039.3, and 23036.3 to, the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 912—Ridley-Thomas. An act to add Section 24328 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 913—Saldana. An act to amend Section 5007 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 914—Cogdill. An act to amend Section 2416 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 915—Keene. An act to amend Section 337 of the Code of Civil Procedure, relating to civil actions.

ASSEMBLY BILL NO. 916—Canciamilla. An act to add Section 368.5 to the Penal Code, relating to crime.

ASSEMBLY BILL NO. 917—Wyland. An act to add Section 52392 to the Education Code, relating to career technical education.

ASSEMBLY BILL NO. 918—Wyland (Coauthor: Liu). An act to add Section 89009.3 to the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 919—Bogh. An act to amend Section 4521 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 920—Aghazarian (Principal coauthor: Sharon Runner). An act to repeal Article 7.7 (commencing with Section 2154) of Chapter 5 of Division 2 of the Business and Professions Code, and to amend Sections 128335 and 128345 of, and to add Article 5 (commencing with Section 128550) to Chapter 5 of Part 3 of Division 107 of, the Health and Safety Code, relating to health professions education, and making an appropriation therefor.

ASSEMBLY BILL NO. 921—Daucher. An act to amend Section 33670 of, and to add Section 33333.12 to, the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 922—Salinas. An act to add Sections 1452 and 1453 to, and to repeal Chapter 11 (commencing with Section 1500) of Division 6 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

ASSEMBLY BILL NO. 923—Chavez. An act to add and repeal Sections 12599.5 and 12727 of the Health and Safety Code, relating to fireworks, and making an appropriation therefor.

ASSEMBLY BILL NO. 924—Canciamilla. An act to amend Sections 14502, 14504, 14581, 14583, 14585, 14586, 14591, 14601, 14611, 14612, 14613, 14621, 14622, 14623, 14631, 14641, 14642, 14643, 14644, 14645, 14646, 14647, 14648, 14651, 14653, 14654, 14655, 14656, 14657, 14658, 14659, 14660, and 14672 of, and to add Sections 14502.1, 14512.5, and 14559.5 to, the Food and Agricultural Code, relating to fertilizer.

ASSEMBLY BILL NO. 925—Ridley-Thomas. An act relating to insurer investments.

ASSEMBLY BILL NO. 926—Chu. An act to amend Sections 11831.5, 11834.01, 11834.02, 11834.09, 11834.10, 11834.15, 11834.17, 11834.18, 11834.20, 11834.21, 11834.22, 11834.23, 11834.24, 11834.25, 11834.26, 11834.30, 11834.31, 11834.32, 11834.36, and 11834.50 of, to add Sections 11834.04 and 11834.11 to, and to repeal and add Section 11834.16 of, the Health and Safety Code, relating to substance abuse.

ASSEMBLY BILL NO. 927—Mullin. An act to amend Sections 8208, 8235, 8236, 8237, and 8241 of the Education Code, relating to early education, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 928—Jerome Horton. An act to amend Section 1717 of the Civil Code, relating to attorney's fees.

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

ASSEMBLY BILL NO. 930—De La Torre (Principal coauthor: Torrico). An act to amend Section 12087 of the Government Code, relating to citizenship assistance.

ASSEMBLY BILL NO. 931—Emmerson. An act to amend Section 69433.5 of the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 932—Emmerson. An act to amend Section 79210 of the Education Code, relating to nursing education.

ASSEMBLY BILL NO. 933—Emmerson. An act to amend Section 66025 of the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 934—Wyland. An act to amend Sections 2102, 3011, and 14216 of the Elections Code, relating to voting.

ASSEMBLY BILL NO. 935—Koretz. An act to amend Section 5318 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 936—Wyland. An act to add and repeal Article 9 (commencing with Section 12093) of Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to energy resources.

ASSEMBLY BILL NO. 937—Wyland. An act to amend Section 19605.8 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 938—Umberg. An act to add Section 84204.5 to the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 939—Mullin. An act to amend Section 33334.30 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 940—Chu. An act to amend Section 14251 of the Penal Code, relating to missing persons.

ASSEMBLY BILL NO. 941—Canciamilla. An act to add Title 8 (commencing with Section 945.6) to Part 2 of Division 2 of the Civil Code, relating to construction defects.

ASSEMBLY BILL NO. 942—Cogdill. An act to amend Section 41855.6 of the Health and Safety Code, relating to air resources.

ASSEMBLY BILL NO. 943—Keene. An act to amend Section 17000.6 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 944—Ridley-Thomas. An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 12001, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12084, 12086, and 12804 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, and to repeal and add Section 12071 of, the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 945—Koretz. An act to add Section 10170 and 10171 to the Public Contract Code, relating to state contracts.

ASSEMBLY BILL NO. 946—Wyland. An act to amend Section 530.5 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 947—Liu. An act to amend Section 94110 of the Education Code, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 949—Coto. An act to add Section 46163 to the Education Code, relating to schools.

ASSEMBLY BILL NO. 950—Coto. An act to amend Section 42239 of, and to add and repeal Article 5 (commencing with Section 37260) of Chapter 2 of Part 22 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 951—Coto. An act to amend Section 15146 of the Education Code, relating to school bonds.

ASSEMBLY BILL NO. 952—Coto. An act to amend Section 17463.6 of the Education Code, relating to public schools.

ASSEMBLY BILL NO. 953—Coto. An act to amend Section 52055.605 of the Education Code, relating to high priority schools.

ASSEMBLY BILL NO. 954—Coto. An act to amend Section 798.51 of the Civil Code, relating to mobilehomes.

ASSEMBLY BILL NO. 955—Coto. An act to add Chapter 33 (commencing with Section 7599) to Division 7 of Title 1 of the Government Code, relating to communications.

ASSEMBLY BILL NO. 956—Coto. An act to add Section 17070.96 to the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 957—Haynes. An act to add Chapter 12.9 (commencing with Section 7090) to Division 7 of Title 2 of the Government Code, and to amend Sections 17039 and 23036 of, to add Sections 17052.77 and 23677 to, and to add and repeal Sections 17053.93 and 23693 of, the Revenue and Taxation Code, relating to economic development.

ASSEMBLY BILL NO. 958—De La Torre. An act to add Section 66055.4 to the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 959—Frommer. An act to amend Section 1550.1 of the Streets and Highways Code, relating to streets and highways.

ASSEMBLY BILL NO. 960—Montanez. An act relating to nutrition.

ASSEMBLY BILL NO. 961—Committee on Higher Education (Liu (Chair), Shirley Horton, Matthews, Nava, and Ruskin). An act to amend Sections 69980, 69981, 69982, 69983, 69984, 69986, 69989, 69990, 69992, 69993, and 70901.1 of, and to add Section 94103 to, the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 962—Nunez. An act to add Section 7662 to the Public Utilities Code, relating to public utilities.

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

ASSEMBLY BILL NO. 964—Jerome Horton (Principal coauthor: Senator Ackerman). An act to amend Sections 755, 756, and 1153 of, to amend, repeal, and add Sections 1152 and 1155 of, and to add Sections 100.51, 721.51, 721.52, and 828.1 to, the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 965—Saldana. An act relating to energy resources.

ASSEMBLY BILL NO. 966—Saldana. An act to add Article 2 (commencing with Section 105336) to, and to add a heading as Article 1 (commencing with Section 105325) to, Chapter 6 of Part 5 of Division 103 of, the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 967—Canciamilla. An act to amend Section 48800 of the Education Code, relating to public schools.

ASSEMBLY BILL NO. 968—Houston. An act relating to employment.

ASSEMBLY BILL NO. 969—Karnette. An act to add Section 13979.2 to the Government Code, relating to transportation.

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

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

ASSEMBLY BILL NO. 972—Sharon Runner. An act to add Section 18713 to the Business and Professions Code, relating to athletic contests.

ASSEMBLY BILL NO. 973—Jerome Horton. An act to amend Section 41370 of the Education Code, relating to public school finance.

ASSEMBLY BILL NO. 974—Nunez. An act to add Section 25214.5 to the Public Resources Code, and to add Section 311.7 to the Public Utilities Code, relating to energy resources.

ASSEMBLY BILL NO. 975—Nunez. An act to amend Sections 1623 and 1665 of the Insurance Code, relating to insurance brokers.

ASSEMBLY BILL NO. 976—Emmerson. An act to amend Section 1367.18 of the Health and Safety Code, and to amend Section 10123.7 of the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 977—Nava. An act to add Section 1375 to the Health and Safety Code, and to add Section 10191.5 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 978—Sharon Runner. An act to add Section 527.10 to the Code of Civil Procedure, to add Sections 6252.5 and 6322.7 to the Family Code, to add Section 646.91A to the Penal Code, and to add Sections 213.7 and 15657.04 to the Welfare and Institutions Code, relating to protective orders.

ASSEMBLY BILL NO. 979—Sharon Runner. An act to amend Sections 13352 and 14602.6 of the Vehicle Code, relating to vehicles.

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

ASSEMBLY BILL NO. 981—Negrete McLeod. An act to add Section 6353 to the Government Code, relating to joint powers authority.

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

ASSEMBLY BILL NO. 983—Laird. An act to amend Section 33334.22 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 984—Laird. An act to amend Section 3501 of the Civil Code, relating to nuisance.

ASSEMBLY BILL NO. 985—Torrico. An act to add Section 230.5 to the Labor Code, relating to labor.

ASSEMBLY BILL NO. 986—Torrico. An act relating to housing.

ASSEMBLY BILL NO. 987—Frommer. An act to repeal Section 22325 of the Business and Professions Code, and to amend and repeal Section 1936 of the Civil Code, relating to vehicle rental agreements.

ASSEMBLY BILL NO. 988—Bogh. An act to amend Section 186.2 of the Penal Code, relating to criminal profiteering.

ASSEMBLY BILL NO. 989—Garcia. An act relating to child support.

ASSEMBLY BILL NO. 990—Lieber. An act relating to toxic substances.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 20—Oropeza. Relative to CHP Officer Merle L. Andrews Memorial Interchange.

ASSEMBLY CONCURRENT RESOLUTION NO. 21—Wolk. Relative to Watershed Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 22—Dymally. Relative to the Charles R. Drew University of Medicine and Science.

ADJOURNMENT

At 4 p.m., the Assembly adjourned until 12 noon, Tuesday, February 22, 2005.

DARIO FROMMER, Majority Floor Leader

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 22, 2005
TWENTY-NINTH SESSION DAY
SEVENTY-NINTH 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, February 22, 2005

The Assembly met at 12:03 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Goldberg moved a quorum call of 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 12:06 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—74:

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

PRAYER

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

Lord, You look down from heaven at us humans to see if there are any who are wise. Help us to learn and increase in Your wisdom, Lord, so that like trees planted along the riverbank with roots that reach deep into the water, we will not be harmed by the difficulties of life that may afflict us like a long drought. But rather, we may continue to bear only good fruit that glorifies Your holy name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Oropeza.

On personal business, and waiving per diem: Assembly Member Plescia.

Because of illness: Assembly Members Gordon and Jerome E. Horton.

Because of a death in his family: Assembly Member Bogh.

Due to travel delays: Assembly Member Walters.

EXPLANATIONS OF ABSENCE

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

February 18, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Session, Tuesday, February 22, 2005, 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

COMMUNICATIONS

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

February 22, 2005

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

RE: Appointment of Joe Coto
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Joe Coto to the State Allocation Board for February 23, 2005 only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

Report of Consultant Contracts for Fiscal Year 2003–04
(Pursuant to Public Contract Code Section 10359)

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated February 10, 2005, referred by the Speaker to the Committee on Business and Professions.

Ranking Criteria for Proposition 50 Projects
(Pursuant to Assembly Bill 1747, Chapter 240, Statutes of 2003)

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated February 10, 2005, referred by the Speaker to the Committee on Budget.

Department of Parks and Recreation
Fee Structure Report
(Pursuant to Supplemental Report of the 2004 Budget Act)

Above transmitted report, together with letter of transmittal from Ruth Coleman, Director, Department of Parks and Recreation, dated February 14, 2005, referred by the Speaker to the Committee on Budget.

California Witness Protection Program
(Pursuant to Penal Code Section 14031)

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated February 14, 2005, referred by the Speaker to the Committee on Public Safety.

Small Business/Disabled Veterans
Business Enterprise Report 2003–04
(Pursuant to Government Code Section 14840)

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated February 10, 2005, referred by the Speaker to the Committee on Veterans Affairs.

**Electronic Absentee Ballot Application Program
(Pursuant to Assembly Bill 2277, Chapter 753, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Kevin Shelley, Secretary of State, dated February 15, 2005, referred by the Speaker to the Committee on Elections and Reapportionment.

**2002–2004 Fiscal Years
Annual Census of State Employees in the State Civil Service
(Pursuant to Government Code
Sections 19237, 19405, 19705, 19792.5(b), and 19793)**

Above transmitted report, together with letter of transmittal from Floyd Shimomura, Executive Officer, State Personnel Board, dated February 15, 2005, referred by the Speaker to the Committee on Labor and Employment.

**2003–04 Disabled Veteran Business Enterprise Participation Report
(Pursuant to Military and Veterans Code Section 999.7)**

Above transmitted report, together with letter of transmittal from Jeff Davi, Commissioner, Department of Real Estate, dated February 17, 2005, referred by the Speaker to the Committee on Veterans Affairs.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly Bill No.</i>	<i>Committee</i>
20	Jud.
176	P.E.,R. & S.S. and Appr.
216	Pub. S.
220	Pub. S. and Jud.
222	L. & E. and Jud.
230	Aging & L.T.C.
237	H. & C.D. and Appr.
239	Budget
243	Ins.
259	L. Gov.
266	L. Gov.
272	Pub. S.
273	G.O.
274	P.E.,R. & S.S.
279	B. & F.
280	Pub. S.
281	Pub. S.
282	Pub. S.
284	P.E.,R. & S.S.
286	L. Gov.
287	Nat. Res. and G.O.
289	E.S. & T.M.
291	Health
292	H. & C.D.
294	V.A.
295	B. & P.
296	Pub. S.
297	P.E.,R. & S.S.
298	Rev. & Tax.

299	-----	Pub. S.
301	-----	B. & P.
302	-----	B. & P.
303	-----	B. & P.
305	-----	Pub. S.
307	-----	Ed.
308	-----	Pub. S.
309	-----	Ed.
310	-----	P.E.,R. & S.S.
314	-----	Pub. S.
315	-----	Ed.
317	-----	Higher Ed.
318	-----	Higher Ed.
322	-----	Ed.
323	-----	Jud.
324	-----	Pub. S.
330	-----	Health
332	-----	Pub. S.
333	-----	Jud.
335	-----	Pub. S.
349	-----	Ed.
352	-----	Pub. S.
354	-----	B. & P.
355	-----	Jud.
356	-----	Health
358	-----	Higher Ed.
359	-----	W.,P. & W.
360	-----	Health
363	-----	Hum. S.
364	-----	L. & E.
367	-----	B. & P.
368	-----	Hum. S.
370	-----	B. & P.
373	-----	Pub. S.
376	-----	Pub. S.
378	-----	Jud.
379	-----	Hum. S.
380	-----	U. & C.
383	-----	Trans.
384	-----	Ed.
386	-----	Hum. S.
387	-----	Ed.
388	-----	Ed.
390	-----	Ed.
393	-----	Agri.
397	-----	Trans.

*Assembly Concurrent**Resolution No.**Committee*

22 ----- Rls.

Senate Concurrent

Resolution No.

Committee

2 ----- Rls.

4 ----- Health

5 ----- Trans.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting University of California Medical School Admissions and Shortages in the Health Care Workforce for a joint informational hearing in the Committees on Higher Education, Budget Subcommittee No. 2 on Education Finance, Senate Committee on Health, Senate Select Committee on College and University Admissions and Outreach, and the Senate Budget Subcommittee No. 3 on Health and Human Services on Wednesday, February 23, 2005.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: February 22, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 13

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

**ASSEMBLY CONCURRENT RESOLUTION NO. 13 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Wolk was granted unanimous consent to take up Assembly Concurrent Resolution No. 13, without reference to committee, print, or file.

ASSEMBLY CONCURRENT RESOLUTION NO. 13—Relative to Spay Day USA 2005.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 13**

Assembly Member Wolk was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 13.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Calderon, Chu, Cogdill, Coto, Daucher, De La Torre, Emmerson, Evans, Frommer, Garcia, Goldberg, Harman, Houston, Karnette, Klehs, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, McCarthy, Montañez, Mountjoy, Mullin, Nava, Negrete McLeod, Núñez, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Strickland, Torrico, Tran, Vargas, Villines, and Wyland.

Request for Unanimous Consent

Assembly Member Wolk was granted unanimous consent to take up Assembly Concurrent Resolution No. 13, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 13, as Amended
ASSEMBLY CONCURRENT RESOLUTION NO. 13—Relative to Spay Day USA 2005.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 10 (Chu)—Relative to a Day of Remembrance.

Resolution read.

At 12:23 p.m., Assistant Speaker pro Tempore Sally Lieber,
22nd District, presiding

Members Made Coauthors of Assembly Concurrent Resolution No. 10

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

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Calderon, Canciamilla, Chavez, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Matthews, Maze, McCarthy, Mountjoy, Mullin, Nation, Nava, Negrete McLeod, Niello, Núñez, Parra, Pavley, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Umberg, Vargas, Villines, Wolk, and Wyland.

Request for Unanimous Consent

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

Consideration of Assembly Concurrent Resolution No. 10, as Amended
ASSEMBLY CONCURRENT RESOLUTION NO. 10—Relative to a Day of Remembrance.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 22 (Migden)—An act relating to DNA identification, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—70

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—70

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 29 (Perata)—An act relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—70

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

NOES—2

DeVore Haynes

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—70

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

NOES—2

DeVore Haynes

Bill ordered transmitted to the Senate.

At 12:32 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Resolution

ASSEMBLY CONCURRENT RESOLUTION NO. 6 (Koretz)—Relative to Financial Literacy 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—Senate Bill

SENATE BILL NO. 16 (Alquist)—An act to repeal and add Section 803 of the Penal Code, relating to criminal procedure, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, 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, and any urgency clauses to the bills adopted, by the following vote:

AYES—72

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

NOES—None

ANNOUNCEMENTS

Speaker pro Tempore Yee announced that today is the last day for bill introductions. The Assembly Desk will remain open until 5 p.m. for bill introductions.

ADJOURN IN MEMORY

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

(Assembly Rule 45.5 suspended.)

**At 12:36 p.m., Assistant Speaker pro Tempore Sally Lieber,
22nd District, presiding**

ADJOURN IN MEMORY

Assembly Members La Suer and DeVore were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Command Sergeant Major Galen Hecht, of La Mesa.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Thelma Shelley, of San Francisco.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Caitlin Oto, of Silverado Canyon.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Raitt, of Pacific Palisades.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gilford "Gil" Earl Gaston, of Stockton.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ronnie Pierce, of McKinleyville.

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 David Egwakhe, of Angwin.

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 Staff Sergeant Jason Hendrix, of Freedom.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Violet Janks, of Millbrae and Sister Dorothy Stang, of Belmont.

Assembly Members Nation and Evans were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert "Buzz" Pauley, of Kenwood.

Assembly Member Torrico was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Phillip Leo Bauer, of Fremont.

Assembly Member Umberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of David Arajuo, of Costa Mesa.

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 Yubi Separovich, of Sacramento.

VOTE ADDS

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

Senate Bill No. 22 and Urgency: Baca and Chavez—Aye.

Senate Bill No. 29 and Urgency: Baca and Chavez—Aye.

Consent Calendar: Baca and Chavez—Aye.

MOTION TO ADJOURN

At 12:42 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:43 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 991—DeVore. An act to amend Sections 2021 and 2022 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 992—Spitzer (Principal coauthor: Umberg) (Coauthor: Cohn). An act to amend Section 633 of the Penal Code, relating to law enforcement surveillance.

ASSEMBLY BILL NO. 993—Canciamilla. An act to add Section 25303.5 to the Public Resources Code, relating to energy resources.

ASSEMBLY BILL NO. 994—Sharon Runner. An act to amend Section 830.3 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 995—Canciamilla. An act to add and repeal Sections 17053.58 and 23658 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 997—Cogdill. An act to add Section 11009.5 to the Government Code, relating to state agencies.

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

ASSEMBLY BILL NO. 999—La Malfa. An act to amend Section 664 of the Penal Code, relating to attempted murder.

ASSEMBLY BILL NO. 1000—Sharon Runner. An act to amend, repeal, and add Section 7125 to the Business and Professions Code, and to add and repeal Section 11665 of the Insurance Code, relating to workers' compensation.

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

ASSEMBLY BILL NO. 1002—Nava. An act to amend Section 1801 of the Fish and Game Code, relating to conservation.

ASSEMBLY BILL NO. 1003—Nava. An act to amend Section 375 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1004—Nava. An act to amend Sections 14999 and 14999.8 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 1005—Calderon. An act to amend Sections 19549.14 and 19605.45 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 1006—Keene. An act to add Section 14218.3 to the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1007—Pavley (Coauthor: Senator Kehoe). An act to add Article 6 (commencing with Section 43860) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1008—Richman. An act to add Section 31682.2 to the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 1009—Richman. An act to add Section 760 to the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 1010—Oropeza. An act to amend Section 99152 of, and to add Sections 99152.1 and 99152.2 to, the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 1011—Matthews. An act to amend Sections 12400, 12401, and 12406 of, and to repeal Section 12404 of the Food and Agricultural Code, relating to pesticides.

ASSEMBLY BILL NO. 1012—Nation. An act to amend Sections 515 and 515.5 of the Labor Code, relating to overtime.

ASSEMBLY BILL NO. 1013—Garcia. An act to amend Section 36512 of the Government Code, relating to local elected officials.

ASSEMBLY BILL NO. 1014—Villines. An act to amend Section 4000 of the Elections Code, relating to mail ballot elections.

ASSEMBLY BILL NO. 1015—Chu. An act to amend Section 13023 of the Penal Code, relating to hate crimes.

ASSEMBLY BILL NO. 1016—Ridley-Thomas. An act relating to taxation.

ASSEMBLY BILL NO. 1017—Cogdill. An act relating to hazardous waste.

ASSEMBLY BILL NO. 1018—Nava. An act to amend Sections 4062.2, 4604.5, and 4661 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1019—Harman. An act to amend Section 19859.3 of the Government Code, relating to public employees.

ASSEMBLY BILL NO. 1020—Hancock. An act to add Chapter 2.68 (commencing with Section 65089.60) to Division 1 of Title 7 of the Government Code, relating to planning.

ASSEMBLY BILL NO. 1021—Walters. An act to amend Section 80 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 1022—Walters. An act to amend Section 190.2 of the Penal Code, relating to murder.

ASSEMBLY BILL NO. 1023—Walters. An act to add Section 311.12 to the Penal Code, relating to crime.

ASSEMBLY BILL NO. 1024—Walters. An act to amend Sections 2530.2, 2531, 5502, 5510, 5620, 6710, 7000.5, 7302, 7303, 7314, 8706, 8707, and 8710 of, to add Sections 2530.25, 3322, and 7302.5 to, and to repeal Sections 2531.05, 2531.1, 2531.2, 2531.6, 2531.7, 2531.75, 2531.8, 2531.9, 3321, 3325, 5514, 5515, 5516, 5517, 5518, 5520, 5521, 5522, 5523, 5524, 5621, 5622, 5624, 5626, 6711, 6713, 6714, 6718, 6719, 6720, 7001, 7002, 7003, 7005, 7006, 7007, 7009, 7011, 7013, 7015, 7016, 7304, 7309, and 7315 of, the Business and Professions Code, relating to professions and vocations.

ASSEMBLY BILL NO. 1025—Walters. An act to amend Sections 22348 and 40000.13 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1026—Jerome Horton. An act relating to taxation.

ASSEMBLY BILL NO. 1027—Jerome Horton. An act relating to taxation.

ASSEMBLY BILL NO. 1028—Jerome Horton. An act to add Section 23649.1 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 1030—Umberg. An act to amend Section 107 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1031—Niello. An act to amend Section 34501.12 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1032—Jones. An act to amend Section 8203 of the Education Code, relating to child care.

ASSEMBLY BILL NO. 1033—Daucher. An act to add Section 97.80 to the Revenue and Taxation Code, relating to local government finance.

ASSEMBLY BILL NO. 1034—Spitzer. An act to amend Section 11353.6 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 1035—Spitzer. An act to amend Sections 6254.21 of the Government Code, relating to public records.

ASSEMBLY BILL NO. 1036—Koretz. An act to amend Section 530.5 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 1037—Frommer. An act to amend Section 24306 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1038—Houston. An act to amend Sections 936 and 938 of, and to add Section 939 to, the Civil Code, relating to construction defects.

ASSEMBLY BILL NO. 1039—Frommer. An act to amend Section 25436 of the Public Resources Code, relating to energy conservation.

ASSEMBLY BILL NO. 1040—Montanez. An act to amend Section 313 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 1041—Umberg. An act to add Chapter 4 (commencing with Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to professional sports.

ASSEMBLY BILL NO. 1042—Harman. An act to amend Section 3291 of the Civil Code, and to amend Section 685.010 of the Code of Civil Procedure, relating to interest on judgments.

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

ASSEMBLY BILL NO. 1044—Aghazarian. An act to add Section 1243 to the Government Code, relating to elected public officers.

ASSEMBLY BILL NO. 1045—Frommer. An act to amend Sections 1339.56, 1339.57, and 1339.59 of, and to add Section 1339.585 to, the Health and Safety Code, relating to the Payers' Bill of Rights.

ASSEMBLY BILL NO. 1046—Frommer. An act to amend Section 128738 of, and to add Section 128767 to, the Health and Safety Code, relating to health data.

ASSEMBLY BILL NO. 1047—Levine. An act to add Chapter 4 (commencing with Section 129625) to Part 6 of Division 107 of the Health and Safety Code, relating to financing the construction of health facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

ASSEMBLY BILL NO. 1048—Pavley. An act to amend Sections 15242 and 34501.12 of the Vehicle Code, relating to motor carriers.

ASSEMBLY BILL NO. 1049—Koretz. An act to add Chapter 11 (commencing with Section 42570) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

ASSEMBLY BILL NO. 1050—Gordon. An act to add Section 1255.4 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 1051—Benoit. An act to amend Section 24002 of, and to add Sections 430.5, 9955, and 24004.5 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1052—Leslie. An act to add Section 34520.3 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1053—Bogh. An act to add Section 17463.7 to the Education Code, relating to public schools.

ASSEMBLY BILL NO. 1054—Bogh. An act to add Section 7400.5 to the Elections Code, relating to political party organization.

ASSEMBLY BILL NO. 1055—Calderon. An act to amend Section 1861.05 of the Insurance Code, relating to insurance rates.

ASSEMBLY BILL NO. 1056—Chu. An act to add Section 49537 to the Education Code, relating to school nutrition.

ASSEMBLY BILL NO. 1057—De La Torre. An act to amend Sections 52616, 52616.23, and 60850 of, and to repeal and add Section 60853 of, the Education Code, relating to adult education.

ASSEMBLY BILL NO. 1058—Koretz. An act to add Article 8.5 (commencing with Section 114181) to Chapter 4 of Part 7 of Division 104 of the Health and Safety Code, relating to food labeling.

ASSEMBLY BILL NO. 1059—Committee on Agriculture (Matthews (Chair), Maze (Vice Chair), Berg, Blakeslee, Cogdill, Parra, Salinas, and Vargas). An act to amend Section 56382.5 of the Food and Agricultural Code, relating to growers.

ASSEMBLY BILL NO. 1060—Liu. An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 11108, 11108.3, 12001, 12021, 12021.3, 12026.2, 12028.5, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12086, 12131, 12132, and 12305 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, to repeal Section 12084 of, and to repeal and add Section 12071 of, the Penal Code, and to amend Section 26 of Chapter 23 of the Statutes of 1994, relating to firearms.

ASSEMBLY BILL NO. 1061—Committee on Agriculture (Matthews (Chair), Maze (Vice Chair), Berg, Blakeslee, Cogdill, Parra, Salinas, and Vargas). An act to amend Section 54444 of the Food and Agricultural Code, relating to Agricultural Cooperative Bargaining Associations.

ASSEMBLY BILL NO. 1062—Saldana. An act to add Section 24172.5 to the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 1063—Cogdill. An act to amend Sections 11379.6, 11379.7, 11383, and 11644 of, and to add Section 11383.5 to, the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 1064—Cogdill. An act to amend and repeal Section 18552 of the Health and Safety Code, relating to mobilehome parks, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1065—Committee on Agriculture (Matthews (Chair), Maze (Vice Chair), Berg, Blakeslee, Cogdill, Parra, Salinas, and Vargas). An act to add Sections 19217, 19218, and 19316.5 to the Food and Agricultural Code, relating to kitchen grease.

ASSEMBLY BILL NO. 1066—Jerome Horton. An act to amend Sections 19130 and 19131 of the Government Code, relating to public employment.

ASSEMBLY BILL NO. 1067—Frommer. An act to amend Section 369b of the Penal Code, and to amend Sections 22526 and 42001.16 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1068—Plescia. An act to amend Section 3247 of the Civil Code, relating to works of improvement.

ASSEMBLY BILL NO. 1069—Montanez. An act to amend Section 483.5 of the Penal Code, relating to identification documents.

ASSEMBLY BILL NO. 1070—Cogdill. An act to add Section 76367 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 1071—Chu. An act to add Section 51009 to the Education Code, relating to the curriculum.

ASSEMBLY BILL NO. 1072—Liu. An act to add Section 66901.5 to, and to add Chapter 11.1 (commencing with Section 66910) to Part 40 of, the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 1073—Liu. An act relating to adult education.

ASSEMBLY BILL NO. 1074—Chu. An act to amend Sections 121010 and 121020 of the Health and Safety Code, relating to HIV testing.

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

ASSEMBLY BILL NO. 1076—Jerome Horton. An act relating to public education.

ASSEMBLY BILL NO. 1077—Chan. An act to add Section 49452.7 to the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 1078—Keene and Liu. An act to add Chapter 6.9.1 (commencing with Section 25400.10) to Division 20 of the Health and Safety Code, relating to contaminated property.

ASSEMBLY BILL NO. 1079—Sharon Runner and Spitzer. An act to add Section 4689.65 to the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 1080—Sharon Runner and Spitzer. An act to add Section 1738.5 to the Welfare and Institutions Code, relating to the Youth Authority.

ASSEMBLY BILL NO. 1081—Matthews. An act to amend Sections 110050, 110466, 110485, 111130, 111825, and 111855 of, and to add Section 110471 to, the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 1082—Ruskin. An act to add Article 11 (commencing with Section 905) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 1083—Strickland. An act to add Chapter 7.7 (commencing with Section 2670) to Division 2 of the Public Resources Code, relating to natural hazards, and making an appropriation therefor.

ASSEMBLY BILL NO. 1084—Vargas. An act to amend Section 10290 of, and to add Sections 10370, 10371, and 10372 to, the Insurance Code, relating to disability insurance.

ASSEMBLY BILL NO. 1085—Ruskin. An act to amend Section 12699.53 of the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 1086—Lieber. An act to add Section 5090.39 to the Public Resources Code, relating to public resources.

ASSEMBLY BILL NO. 1087—DeVore. An act to amend Section 23114 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1088—Oropeza. An act to add Section 67385.7 to the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 1089—Umberg. An act relating to career technical programs.

ASSEMBLY BILL NO. 1090—Matthews. An act to amend Sections 40051 and 40201 of, to add Sections 40105.5, 40116.5, 40172.5, and 41781.3 to, and to repeal Section 40117 of, the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 1091—Parra. An act to amend Section 1812.101 of the Civil Code, relating to civil law.

ASSEMBLY BILL NO. 1092—Daucher. An act to amend Section 56330 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 1093—Matthews. An act to amend Sections 204, 213, 226, and 515.5 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 1094—Nakanishi. An act to amend Section 14672.99 of the Government Code, relating to state property.

ASSEMBLY BILL NO. 1095—Mullin. An act to amend Section 8880.5 of the Education Code, relating to the California State Lottery.

ASSEMBLY BILL NO. 1096—Umberg. An act to amend Section 3017 of the Elections Code, relating to ballots.

ASSEMBLY BILL NO. 1097—Mullin. An act to add Section 46300.8 to the Education Code, relating to pupils.

ASSEMBLY BILL NO. 1098—Jones. An act to amend Section 1365.1 of the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 1099—Leno. An act to amend Section 73 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1100—Mullin. An act to amend Section 60605 of the Education Code, relating to testing.

ASSEMBLY BILL NO. 1101—Oropeza. An act relating to air pollution.

ASSEMBLY BILL NO. 1102—Hancock. An act to amend Sections 300, 302, 303, 306, 307, 309, 351, 354, 355, 357, 358, 359, 360, 400, 420, 422, 425, 500, 501, 503, 505, 506, 508, 509, 510, 511, 530, 531, 532, 533, 534, 535, and 536 of, to amend the heading of Part 2 (commencing with Section 350) of Division 3 of, and to repeal Sections 353, 424, and 502 of, the Family Code, and to amend Sections 100430, 102130, 102140, 102310, 102325, 102355, 103125, 103175, 103180, 103200, 103235, 103730, 103780, and 103785 of, and to repeal Section 103595 of, the Health and Safety Code, relating to marriage.

ASSEMBLY BILL NO. 1103—Karnette. An act to add Chapter 20 (commencing with Section 42990) to Part 3 of Division 30 of the Public Resources Code, relating to bicycle recycling and, making an appropriation therefor.

ASSEMBLY BILL NO. 1104—Levine. An act to add Article 6 (commencing with Section 8290) to Chapter 7 of Division 4 of the Public Utilities Code, relating to utility charges.

ASSEMBLY BILL NO. 1105—Mullin. An act to amend Section 114120 of the Health and Safety Code, relating to retail food.

ASSEMBLY BILL NO. 1106—Strickland. An act to amend Sections 209, 653f, and 667.61 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 1107—Berg. An act to amend Section 42291 of the Education Code, relating to school transportation.

ASSEMBLY BILL NO. 1108—Berg. An act to amend Section 1520 of the Health and Safety Code, relating to community care facilities.

ASSEMBLY BILL NO. 1109—Shirley Horton. An act to amend Section 6609.1 of the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 1110—Parra. An act to add Article 8 (commencing with Section 41580) to Chapter 3.2 of Part 24 of the Education Code, relating to school finance.

ASSEMBLY BILL NO. 1111—Frommer. An act to add Article 3.12 (commencing with Section 1357.40) to Chapter 2.2 of Division 2 of the Health and Safety Code, relating to health care coverage.

ASSEMBLY BILL NO. 1112—Cohn. An act to amend Section 647 of the Penal Code, relating to loitering.

ASSEMBLY BILL NO. 1113—Yee. An act to amend Sections 4927 and 4937 of the Business and Professions Code, relating to acupuncture.

ASSEMBLY BILL NO. 1114—Yee. An act to amend Section 4945 of the Business and Professions Code, relating to acupuncture.

ASSEMBLY BILL NO. 1115—Yee. An act to add Article 3 (commencing with Section 4950) to Chapter 12 of Division 2 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 1116—Yee. An act to amend Sections 4935 and 4938 of the Business and Professions Code, relating to acupuncture.

ASSEMBLY BILL NO. 1117—Yee. An act to amend Sections 2075, 3642, 4926, 4935, 4937, and 4939 of the Business and Professions Code, relating to medicine.

ASSEMBLY BILL NO. 1118—Umberg. An act to add Chapter 5 (commencing with Section 10000) to Division 3.6 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1119—Blakeslee. An act to amend Section 3822 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1120—Benoit. An act to amend Section 11623 of the Insurance Code, relating to auto insurance.

ASSEMBLY BILL NO. 1121—Koretz. An act to amend Section 1216 of the Penal Code, relating to sentencing.

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

ASSEMBLY BILL NO. 1123—Wyland. An act to amend Section 679 of the Insurance Code, relating to insurer liability.

ASSEMBLY BILL NO. 1124—Wyland. An act to amend Section 3550 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1125—Pavley (Coauthors: Hancock and Laird) (Coauthor: Senator Kuehl). An act to add Chapter 8.4 (commencing with Section 42451) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 1126—Saldana. An act to amend Section 23095 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 1127—Garcia. An act to add and repeal Section 40904 of the Vehicle Code, relating to vehicles.

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

ASSEMBLY BILL NO. 1129—Mountjoy. An act to amend Section 9022 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1130—Ruskin. An act to amend Section 4519.7 of the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 1131—Torrico. An act to amend Section 32126 of, and to repeal and amend Section 32121 of, the Health and Safety Code, relating to health care districts.

ASSEMBLY BILL NO. 1132—Torrico. An act to amend Section 14602.6 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1133—Harman. An act to amend Section 2028.050 of the Code of Civil Procedure, and to amend Section 912 of the Evidence Code, relating to evidentiary privileges.

ASSEMBLY BILL NO. 1134—Dymally. An act to amend Section 60307 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1135—Dymally. An act to amend Section 60306 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1136—Dymally. An act to amend Sections 37253, 41505, 41506, 42239, and 52890 of, and to repeal Sections 41505.5, 42239, 42239.15, and 52891 of, the Education Code, relating to instruction, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1137—Dymally. An act to add Section 71092.3 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 1138—Dymally. An act to add Section 21362.4 to the Government Code, relating to retirement.

ASSEMBLY BILL NO. 1139—Dymally. An act to add Chapter 13.5 (commencing with Section 7130) to Division 7 of Title 1 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 1140—Dymally. An act to add Section 52 to the Food and Agricultural Code, to add Section 27 to the Government Code, to add Section 37 to the Streets and Highways Code, and to add Section 541 to the Water Code, relating to elections.

ASSEMBLY BILL NO. 1141—Dymally. An act to add Section 11833.1 to the Health and Safety Code, relating to alcohol and drug treatment, and making an appropriation therefor.

ASSEMBLY BILL NO. 1142—Dymally. An act to add Chapter 13.7 (commencing with Section 121290) to the Health and Safety Code, relating to HIV.

ASSEMBLY BILL NO. 1143—Emmerson (Coauthor: Senator Aanestad). An act to amend Sections 1640, 1640.2, 1642, and 1724 of, and to repeal Section 1641 of, the Business and Professions Code, relating to dentistry.

ASSEMBLY BILL NO. 1144—Harman. An act to amend Section 115725 of the Health and Safety Code, relating to playground safety.

ASSEMBLY BILL NO. 1145—Huff. An act to amend Section 4850 of the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 1146—Huff. An act relating to local government finance.

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

ASSEMBLY BILL NO. 1148—Nakanishi. An act to amend Section 22456 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1149—La Suer. An act to amend Section 12818 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1150—La Suer. An act to amend Sections 1992 and 1994 of, to add Sections 1993.1 and 1993.2 to, and to repeal and add Section 1993 of, the Code of Civil Procedure, and to add Section 26744.5 to the Government Code, relating to civil warrants.

ASSEMBLY BILL NO. 1151—La Suer (Coauthor: Senator Hollingsworth). An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 1152—La Suer and Garcia (Coauthors: Benoit, Cogdill, Daucher, Shirley Horton, La Malfa, Leslie, Maze, Mountjoy, Plescia, Spitzer, Strickland, and Wyland) (Coauthors: Senators Hollingsworth and Runner). An act to amend Section 3000 of the Penal Code, relating to parole.

ASSEMBLY BILL NO. 1153—La Suer, Garcia, and Maze (Coauthors: Benoit, Cogdill, Daucher, Shirley Horton, Houston, La Malfa, Leslie, Mountjoy, Plescia, Spitzer, Strickland, and Wyland) (Coauthors: Senators Hollingsworth and Runner). An act to add Section 664.5 to the Penal Code, relating to offenses against minors.

ASSEMBLY BILL NO. 1154—La Suer. An act to amend Section 48205 of, and to repeal Section 46010.1 of, the Education Code, relating to school districts.

ASSEMBLY BILL NO. 1155—La Suer. An act to add Section 32126.3 to the Health and Safety Code, relating to health care districts.

ASSEMBLY BILL NO. 1156—La Suer. An act to add Section 4122 to the Public Resources Code, relating to forest practices.

ASSEMBLY BILL NO. 1157—Frommer. An act to amend Section 164 of the Streets and Highways Code, relating to transportation.

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

ASSEMBLY BILL NO. 1159—Lieber. An act to amend Section 6303 of the Penal Code, relating to regional jail camps.

ASSEMBLY BILL NO. 1160—Lieber. An act to amend Section 192 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 1161—Niello. An act to amend Section 10233 of, and to add Sections 10131.02 and 10233.01 to, the Business and Professions Code, and to amend Section 1916.1 of the Civil Code, relating to real estate brokers.

ASSEMBLY BILL NO. 1162—Mullin. An act to amend Section 17406 of, and to add and repeal Article 2.2 (commencing with Section 17429.1) of Chapter 4 of Part 10.5 of, the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 1163—Yee. An act to amend Section 9875 of, to add Sections 9875.3 and 9875.4 to, and to repeal and add Section 9875.1 of, the Business and Professions Code, relating to motor vehicle replacement parts.

ASSEMBLY BILL NO. 1164—Bogh. An act to add Sections 17141 and 17204.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 1166—Canciamilla. An act to add Section 22009.03 to the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 1167—Chu. An act relating to taxation.

ASSEMBLY BILL NO. 1168—Saldana. An act to add Section 116294 to the Health and Safety Code, relating to public water systems.

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

ASSEMBLY BILL NO. 1170—Canciamilla. An act to amend Section 29034 of the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 1171—Haynes. An act to amend Section 47607 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 1172—Chu. An act relating to public contracts.

ASSEMBLY BILL NO. 1173—Tran. An act to amend Sections 2704.04 and 2704.09 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation.

ASSEMBLY BILL NO. 1174—Tran. An act to amend Section 11512 of the Government Code, relating to state agencies.

ASSEMBLY BILL NO. 1175—Tran. An act to add Section 14028 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 1176—Tran. An act to add Section 1286.3 to, and to repeal Title 9.2 (commencing with Section 1296) of Part 3 of, the Code of Civil Procedure, relating to arbitration.

ASSEMBLY BILL NO. 1177—Chan. An act to amend Section 52055.57 of, and to add Article 4.3 (commencing with Section 52060) to Chapter 6.1 of Part 28 of, the Education Code, relating to public schools, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1178—Yee. An act to amend Section 21625 of the Business and Professions Code, relating to personal property.

ASSEMBLY BILL NO. 1179—Yee. An act to add Section 1507.25 to the Health and Safety Code, relating to community care facilities.

ASSEMBLY BILL NO. 1180—Torricono. An act to amend Sections 19582.5, and 19612.9 of, to add Section 19481.3 to, and to add Article 4.5 (commencing with Section 19500) to Chapter 4 of Division 8 of, the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 1181—Matthews. An act to add Section 49605 to the Education Code, relating to educational counseling.

ASSEMBLY BILL NO. 1182—Calderon. An act to amend Section 321.6 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 1183—Vargas. An act to amend Sections 1872, 1872.1, 1872.3, 1872.4, 1872.7, 1872.8, 1872.81, 1872.83, 1872.85, 1872.9, 1872.95, 1872.96, 1873.4, 1874.8, 1875.20, 1877.3, 1879.4, and 12964 of, and to repeal Sections 1871.4, 11760, and 11880 of, the Insurance Code, and to amend Section 138.7 of the Labor Code, and to add Sections 550.1, 550.2, 550.3, and 633.3 to, the Penal Code, relating to insurance fraud.

ASSEMBLY BILL NO. 1184—Koretz. An act to add Section 19851.2 to the Government Code, relating to state employees.

ASSEMBLY BILL NO. 1185—Koretz (Coauthor: Senator Alquist). An act to add Section 1373.122 to the Health and Safety Code, and to add Section 10127.6 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 1186—Jerome Horton. An act to amend 19826 of, and to add Sections 19826.10 and 19826.11 to, the Government Code, relating to state civil service.

ASSEMBLY BILL NO. 1187—Wolk. An act to amend Section 119400 of the Health and Safety Code, relating to drug marketing practices.

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

ASSEMBLY BILL NO. 1189—Bermudez. An act to amend Section 2932 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1190—Canciamilla. An act to enact the Energy Code, and to amend Sections 11550 and 12800 of the Government Code, relating to energy.

ASSEMBLY BILL NO. 1191—Benoit. An act to add Section 41851.15 to the Education Code, relating to home-to-school transportation.

ASSEMBLY BILL NO. 1192—Villines. An act to amend Section 1720 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 1193—Hancock. An act to add Chapter 7.5 (commencing with Section 42420) to Part 3 of Division 30 of the Public Resources Code, relating to public resources.

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

ASSEMBLY BILL NO. 1195—Coto (Principal coauthor: Chu). An act to add Section 2190.6 to the Business and Professions Code, relating to physicians and surgeons.

ASSEMBLY BILL NO. 1196—Coto (Principal coauthor: Yee). An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of the Education Code, relating to instructional programs.

ASSEMBLY BILL NO. 1197—Gordon. An act to add Part 3 (commencing with Section 23000) to Division 9 of the Public Utilities Code, relating to aviation.

ASSEMBLY BILL NO. 1198—Mullin. An act to add Section 831 to the Welfare and Institutions Code, relating to juvenile court records.

ASSEMBLY BILL NO. 1199—Frommer. An act to amend Section 1374.67 of the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 1200—Laird. An act to add Sections 139, 139.2, and 139.4 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1201—Laird. An act to amend Section 10750 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1202—Laird. An act to repeal Section 13998.10 of the Government Code, relating to the Military and Aerospace Support Act.

ASSEMBLY BILL NO. 1203—Mullin. An act relating to housing.

ASSEMBLY BILL NO. 1204—Laird. An act relating to parks.

ASSEMBLY BILL NO. 1205—Blakeslee. An act to amend Section 66020 of the Government Code, relating to development fees.

ASSEMBLY BILL NO. 1206—Jerome Horton. An act to add Section 1227 to the Government Code, relating to public employment relations.

ASSEMBLY BILL NO. 1207—Yee. An act to amend Section 24072 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 1208—Yee. An act to amend Section 1708 of the Civil Code, relating to civil law.

ASSEMBLY BILL NO. 1209—Yee. An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

ASSEMBLY BILL NO. 1210—Levine. An act relating to the Capitol Park.

ASSEMBLY BILL NO. 1211—Torrico. An act to amend Section 1789.3 of the Civil Code, relating to electronic commercial services.

ASSEMBLY BILL NO. 1212—Wyland. An act to add Section 60043.5 to the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 1213—Wyland. An act to amend Section 60900 of the Education Code, relating to pupil testing.

ASSEMBLY BILL NO. 1214—Wyland. An act to add Section 51210.3 to the Education Code, relating to instruction.

ASSEMBLY BILL NO. 1215—Wyland. An act to add Sections 312 and 312.5 to the Education Code, relating to English language instruction.

ASSEMBLY BILL NO. 1216—Wyland. An act to add Section 51224.3 to the Education Code, relating to instruction.

ASSEMBLY BILL NO. 1217—Wyland. An act to amend Section 51933 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 1218—Wyland. An act to amend Section 52720 of the Education Code, relating to patriotic exercises.

ASSEMBLY BILL NO. 1219—De La Torre. An act relating to public education.

ASSEMBLY BILL NO. 1220—Jones. An act to amend Sections 41752 and 41755 of, and to add Section 41756 to, the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1221—Jones and Leslie (Coauthor: Niello). An act to amend Section 39510 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1222—Jones. An act to add Part 5.5 (commencing with Section 44275) to Division 26 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1223—Leno and Lieber. An act to amend Section 11713.3 of, and to add Section 11713.13 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1224—Haynes. An act to add Sections 17053.89 and 23689 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1225—Strickland. An act to add Section 11834.19 to the Health and Safety Code, relating to alcohol and drugs.

ASSEMBLY BILL NO. 1226—Yee. An act to amend Section 138.7 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1227—Torrico. An act to amend Section 65008 of the Government Code, relating to housing discrimination.

ASSEMBLY BILL NO. 1228—Daucher. An act relating to schools.

ASSEMBLY BILL NO. 1229—Nation (Principal coauthor: Pavley). An act to amend Section 43200 of, and to add Section 43200.1 to, the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1230—Ridley-Thomas. An act to add Section 33200.5 to the Government Code, relating to health care.

ASSEMBLY BILL NO. 1231—Jerome Horton. An act to amend Section 40440 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1232—Jerome Horton. An act to amend Section 25205.6 of the Health and Safety Code, relating to hazardous substances.

ASSEMBLY BILL NO. 1233—Jones. An act to amend Sections 65583.2 and 65584 of the Government Code, relating to local planning.

ASSEMBLY BILL NO. 1234—Salinas. An act to add Article 2.3 (commencing with Section 53232) and Article 2.4 (commencing with Section 53234) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local agencies.

ASSEMBLY BILL NO. 1235—Emmerson and Walters. An act to amend Section 1337.6 of the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 1236—DeVore. An act to add Chapter 4 (commencing with Section 1630) to Part 5 of Division 4 of the Family Code, relating to marital contracts.

ASSEMBLY BILL NO. 1237—Leno. An act to amend Sections 12020 and 12650 of, and to add Section 12602 to, the Penal Code, relating to tasers.

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

ASSEMBLY BILL NO. 1239—Chan. An act to add Section 14005.42 to the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 1240—Levine. An act to amend Section 25214.8 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 1241—Matthews. An act to add Section 69432.6 to the Education Code, relating to student financial aid.

ASSEMBLY BILL NO. 1242—Arambula. An act to add Section 12301.22 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 1243—Benoit. An act relating to community colleges.

ASSEMBLY BILL NO. 1244—Wolk. An act to amend Sections 79401, 79402, 79403.5, 79412, 79415, 79420, 79421, 79440, 79450, 79452 and 79460 of, to amend and repeal Sections 79420, 79423, 79453, and 79455, of, to add Sections 79472 and 79473 to, to repeal Sections 79406 and 79422 of, and to repeal Chapter 3 (commencing with Section 79475) of Division 26.4 of, the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1245—Wolk. An act to add Chapter 7.8 (commencing with Section 12929.49) to Part 6 of Division 6 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1246—Wolk. An act to amend Section 51421 of the Education Code, relating to high school equivalency certificates.

ASSEMBLY BILL NO. 1247—Wolk. An act to amend Section 513 to the Public Resource Code, relating to parks.

ASSEMBLY BILL NO. 1248—Umberg. An act to amend Sections 29550, 29550.1, and 29550.2 of the Government Code, relating to criminal procedure.

ASSEMBLY BILL NO. 1249—Blakeslee. An act to amend Sections 42820 and 42821 of the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 1250—Calderon. An act to amend Section 1800 of the Financial Code, relating to financial institutions.

ASSEMBLY BILL NO. 1251—Montanez. An act to amend Section 120325 of the Health and Safety Code, relating to communicable diseases.

ASSEMBLY BILL NO. 1252—Pavley (Coauthor: Senator Kuehl). An act to add Section 154.2 to the Streets and Highways Code, relating to highways.

ASSEMBLY BILL NO. 1253—Coto. An act to add Section 51225 to the Education Code, relating to public education.

ASSEMBLY BILL NO. 1254—Coto. An act relating to preschool.

ASSEMBLY BILL NO. 1255—Calderon. An act to amend Section 510 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 1256—Bermudez. An act to amend Section 12517.2 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1257—Umberg. An act to add Section 311.12 to the Penal Code, relating to crime.

ASSEMBLY BILL NO. 1258—Daucher. An act relating to adult day health care.

ASSEMBLY BILL NO. 1259—Daucher. An act relating to property taxation.

ASSEMBLY BILL NO. 1260—Hancock. An act to amend Sections 56157, 56366.10, and 56836.173 of, and to add Section 56836.19 to, the Education Code, relating to special education.

ASSEMBLY BILL NO. 1261—Leno. An act to amend Sections 48853, 48853.5, 48859, and 49069.5 of the Education Code, and to amend Section 319 of the Welfare and Institutions Code, relating to foster children.

ASSEMBLY BILL NO. 1262—Haynes. An act to add Sections 17052.19 and 23618 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1263—Yee. An act to add Section 7350.1 to the Business and Professions Code, relating to barbering and cosmetology.

ASSEMBLY BILL NO. 1264—Leslie. An act to amend Section 1363.05 of the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 1265—Leslie. An act to amend Section 33140 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 1266—Niello. An act to amend Section 217, 217.7, and 217.9 of, and to repeal Section 217.8 of, the Streets and Highways Code, relating to state highways.

ASSEMBLY BILL NO. 1267—Leslie. An act to amend Sections 13800, 13812, 13813, 13820, and 13823, and to add Section 13814 to, the Penal Code, relating to the Board of Corrections.

ASSEMBLY BILL NO. 1268—Oropeza. An act to amend Section 651 of the Business and Professions Code, relating to dentistry.

ASSEMBLY BILL NO. 1269—Pavley (Coauthor: Wolk). An act to add Division 41 (commencing with Section 73500) to the Public Resources Code, relating to financing an air and water quality, coastal protection, and parks program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1270—Gordon. An act to add Section 17074.22 to the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 1271—Blakeslee. An act to add Section 13275 to the Water Code, relating to water.

ASSEMBLY BILL NO. 1272—Harman. An act to repeal Section 14683 of the Government Code, and to amend Section 6304 of the Public Resources Code, relating to State Lands Commission.

ASSEMBLY BILL NO. 1273—Saldana. An act to relating to bioethics.

ASSEMBLY BILL NO. 1274—Jerome Horton. An act to amend Section 247.1 of the Public Utilities Code, to amend Section 41020 of, and to add Section 41020.5 to, the Revenue and Taxation Code, relating to telecommunications.

ASSEMBLY BILL NO. 1275—Frommer. An act to amend Section 130060 of the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 1276—Oropeza. An act to amend Section 2191 of the Streets and Highways Code, relating to transportation corridors.

ASSEMBLY BILL NO. 1277—Evans. An act to amend Sections 183 and 2101 of, and to amend the heading of Chapter 3 (commencing with Section 2100) of Division 3 of, the Streets and Highways Code, relating to transportation, and making an appropriation therefor.

ASSEMBLY BILL NO. 1278—Emmerson. An act to amend Sections 102425, 102426, 102430, 102440, and 103025 of the Health and Safety Code, relating to vital records.

ASSEMBLY BILL NO. 1279—Ruskin. An act to amend Section 25353.5 of the Health and Safety Code, and to amend Section 13177.7 of the Water Code, relating to hazardous substances.

ASSEMBLY BILL NO. 1280—Maze and Liu (Coauthor: Parra). An act to add Section 88511 to the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 1281—Maze. An act to amend Section 11202 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1282—Mullin and Ruskin. An act to amend Sections 7204.03 and 7205 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1283—DeVore (Coauthor: Haynes). An act to add Section 93.5 to the Streets and Highways Code, relating to highways.

ASSEMBLY BILL NO. 1284—Plescia. An act to add Section 14124.95 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 1285—Montanez. An act to amend Section 8279.7 of the Education Code, relating to child care.

ASSEMBLY BILL NO. 1286—Evans. An act relating to physician assistant training, and making an appropriation therefor.

ASSEMBLY BILL NO. 1287—Evans. An act to amend Sections 3098.5 and 3252 of, and to add Section 3098.1 to, the Civil Code, relating to payment bonds.

ASSEMBLY BILL NO. 1288—Chu. An act to amend Sections 136.2 and 11106 of the Penal Code, relating to court orders.

ASSEMBLY BILL NO. 1289—Jerome Horton. An act to amend Section 830.38 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 1290—La Malfa. An act to amend Sections 1525, 1528, 1529, and 13160.1 of, and to add Article 5 (commencing with Section 1562) to Chapter 8 of Part 2 of Division 2 of, the Water Code, relating to water.

ASSEMBLY BILL NO. 1291—Pavley (Coauthors: Chan and Goldberg). An act to add Section 110177 to the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 1292—Evans. An act to amend Section 52853 of, and to add Sections 17070.756, 17584.4, and 52854 to, the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 1293—Oropeza. An act to amend Section 2025.520 of the Code of Civil Procedure, relating to production of evidence.

ASSEMBLY BILL NO. 1294—Urnberg. An act to amend Section 6003 of the Penal Code, relating to the Youth Authority.

ASSEMBLY BILL NO. 1295—Bermudez. An act to add and repeal Sections 12599.5 and 12635.5 of the Health and Safety Code, relating to fireworks, and making an appropriation therefor.

ASSEMBLY BILL NO. 1296—Hancock. An act to add Chapter 7 (commencing with Section 66690) to Title 7.2 of the Government Code, relating to resource conservation.

ASSEMBLY BILL NO. 1297—Evans. An act to add and repeal Part 2.8 (commencing with Section 18970) of Division 13 of the Health and Safety Code, relating to buildings.

ASSEMBLY BILL NO. 1298—Evans. An act to add Section 12693.756 to the Insurance Code, to amend Section 18905.1 of, and to add Sections 11155.6 and 14005.41 to, the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1299—Nava. An act to amend Section 30200 of the Public Resources Code, relating to coastal resources.

ASSEMBLY BILL NO. 1300—Arambula. An act to amend Section 17074.25 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 1301—Arambula. An act relating to housing.

ASSEMBLY BILL NO. 1302—Jerome Horton. An act relating to economic development.

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

ASSEMBLY BILL NO. 1304—Calderon. An act to amend Section 4406 of the Commercial Code, relating to commercial law.

ASSEMBLY BILL NO. 1305—Sharon Runner. An act to amend Section 629.51 of the Penal Code, relating to wiretaps.

ASSEMBLY BILL NO. 1306—Liu. An act to amend Sections 33126 and 49600 of the Education Code, relating to school personnel.

ASSEMBLY BILL NO. 1307—Berg. An act to amend Section 9250 of the Welfare and Institutions Code, relating to longterm care.

ASSEMBLY BILL NO. 1308—Berg. An act to amend Section 1416.6 of the Health and Safety Code, relating to nursing homes.

ASSEMBLY BILL NO. 1309—Salinas. An act to amend Section 4001 of the Elections Code, relating to mail ballot elections.

ASSEMBLY BILL NO. 1310—Committee on Labor and Employment (Koretz (Chair), Chan, Chu, Klehs, Laird, and Leno). An act relating to employment.

ASSEMBLY BILL NO. 1311—Committee on Labor and Employment (Koretz (Chair), Chan, Chu, Klehs, Laird, and Leno). An act to amend Sections 98 and 98.1 of the Labor Code, relating to labor standards.

ASSEMBLY BILL NO. 1312—Committee on Labor and Employment (Koretz (Chair), Chan, Chu, Klehs, Laird, and Leno). An act to add Section 59.5 to the Labor Code, relating to employment activity.

ASSEMBLY BILL NO. 1313—Committee on Labor and Employment (Koretz (Chair), Chan, Chu, Klehs, Laird, and Leno). An act to add Section 213.5 to the Labor Code, relating to wages.

ASSEMBLY BILL NO. 1314—Ridley-Thomas. An act to add Section 54963.5 to the Government Code, relating to neighborhood councils.

ASSEMBLY BILL NO. 1315—Liu. An act to add Section 76160 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 1316—Salinas. An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1317—Ruskin. An act to add and repeal Sections 100854 and 100855 of, and to repeal and add Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of, the Health and Safety Code, relating to environmental laboratories.

ASSEMBLY BILL NO. 1318—Evans. An act to amend Section 24011 of the Government Code, relating to county officers.

ASSEMBLY BILL NO. 1319—Liu. An act relating to adult education.

ASSEMBLY BILL NO. 1320—Canciamilla. An act to amend Section 48204 of the Education Code, relating to school attendance.

ASSEMBLY BILL NO. 1321—Yee. An act to add Section 1379.1 to the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 1322—Evans. An act to amend Section 170.1 of the Code of Civil Procedure, relating to judges.

ASSEMBLY BILL NO. 1323—Vargas. An act to amend Section 2079.10a of the Civil Code, to amend Section 1522.01 of the Health and Safety Code, and to amend Sections 290, 290.01, 290.4, 290.45, 290.46, 290.5, 290.6, 666.7, and 1170.11 of the Penal Code, relating to sex offenders, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1324—Vargas. An act to amend Section 45452 of the Education Code, and to amend Section 42011 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1325—Vargas. An act to amend Section 23109 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1326—Vargas. An act to amend Section 12304.2 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 1327—Tran. An act to amend Sections 25514.5 and 25526.5 of the Health and Safety Code, relating to hazardous materials.

ASSEMBLY BILL NO. 1328—Wolk. An act to amend Sections 5093.54 and 5093.545 of the Public Resources Code, relating to rivers.

ASSEMBLY BILL NO. 1329—Wolk. An act to add Section 20133.6 to the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 1330—Karnette. An act to amend Sections 33673 and 33678 of, and to add Sections 33040, 33106, 33344.7, 33352.1, 33378.6, and 33445.2 to, the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 1331—Umberg. An act to amend Sections 4663 and 4664 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1332—Gordon. An act to add Section 354 to the Public Utilities Code, relating to distributed generation.

ASSEMBLY BILL NO. 1333—Frommer. An act to add Section 374.5 to the Penal Code, relating to grease waste haulers.

ASSEMBLY BILL NO. 1334—Salinas. An act to amend Sections 1775 and 1777 of the Business and Professions Code, relating to dentistry.

ASSEMBLY BILL NO. 1335—Vargas. An act to add Chapter 5 (commencing with Section 43950) to Division 4 of Title 4 of the Government Code, relating to cities.

ASSEMBLY BILL NO. 1336—Cogdill. An act relating to school facilities.

ASSEMBLY BILL NO. 1337—Ruskin. An act to amend Sections 25123.3, 25200.15, 25200.19, 25245, and 25247 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 1338—Nation. An act to amend Sections 317, 366.26, and 634 of the Welfare and Institutions Code, relating to immigrant children.

ASSEMBLY BILL NO. 1339—Committee on Labor and Employment (Koretz (Chair), Chan, Chu, Klehs, Laird, and Leno). An act to add Section 1409 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 1340—Committee on Environmental Safety and Toxic Materials (Ruskin (Chair), Tran (Vice Chair), Chu, De La Torre, Goldberg, Jerome Horton, and Strickland). An act to amend Sections 12812.2 and 12812.3 of the Government Code, relating to environmental protection.

ASSEMBLY BILL NO. 1341—Committee on Environmental Safety and Toxic Materials (Ruskin (Chair), Tran (Vice Chair), Chu, De La Torre, Goldberg, Jerome Horton, and Strickland). An act to amend Sections 25211.3, 25211.4, and 25404 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 1342—Committee on Environmental Safety and Toxic Materials (Ruskin (Chair), Tran (Vice Chair), Chu, De La Torre, Goldberg, Jerome Horton, and Strickland). An act to amend Section 25360.2 of the Health and Safety Code relating to hazardous substance releases.

ASSEMBLY BILL NO. 1343—Committee on Environmental Safety and Toxic Materials (Ruskin (Chair), Tran (Vice Chair), Chu, De La Torre, Goldberg, Jerome Horton, and Strickland). An act to add Section 13269.5 to the Water Code, relating to water.

ASSEMBLY BILL NO. 1344—Committee on Environmental Safety and Toxic Materials (Ruskin (Chair), Tran (Vice Chair), Chu, De La Torre, Goldberg, Jerome Horton, and Strickland). An act to add Article 7.9 (commencing with Section 25391) to Chapter 6.8 of Division 20 of the Health and Safety Code, relating to hazardous substances, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1345—Richman. An act to amend Section 4850 of, and to add Section 4821 to, the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1346—Richman. An act to amend Section 1250 of the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 1347—Cogdill. An act relating to mortgage lending.

ASSEMBLY BILL NO. 1348—Sharon Runner. An act to add Section 761 to the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 1349—Goldberg. An act to amend Section 11839.20 of, and to add Sections 11758.421, 11758.425, and 11877 to, the Health and Safety Code, relating to narcotic treatment programs.

ASSEMBLY BILL NO. 1350—Cogdill. An act to amend Section 66744 of the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1351—Vargas. An act to amend Section 11340.5 of the Government Code, relating to state agencies, and making an appropriation therefor.

ASSEMBLY BILL NO. 1352—Bogh. An act to amend Section 33334.25 of, and to add Section 33334.26 to, the Health and Safety Code relating to redevelopment.

ASSEMBLY BILL NO. 1353—Liu. An act to amend Sections 11836, 11837, and 11837.3 of the Health and Safety Code, and to amend Sections 23538 and 23556 of the Vehicle Code, relating to driving under the influence.

ASSEMBLY BILL NO. 1354—Baca. An act to amend Section 116293 of the Health and Safety Code, relating to drinking water.

ASSEMBLY BILL NO. 1355—Cogdill. An act to amend Section 19605.73 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 1356—Berg. An act to amend Sections 4143 and 4144 of, and to add Section 4144.2 to, the Public Resources Code, relating to forestry and fire protection.

ASSEMBLY BILL NO. 1357—Ruskin. An act to amend Section 25722.5 of the Public Resources Code, relating to state purchases.

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

ASSEMBLY BILL NO. 1359—Chan. An act to add Sections 1348.5 and 100186 to the Health and Safety Code, and to add Section 12939 to the Insurance Code, relating to health care coverage, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1360—Hancock. An act to add Section 25355.1 to the Health and Safety Code, relating to hazardous substances.

ASSEMBLY BILL NO. 1361—Dymally. An act to amend Section 7073 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 1362—Levine. An act to amend Section 25740 of the Public Resources Code, to amend Sections 399.11, 399.12, 399.13, 399.14, and 399.15 of, and to add Section 399.17 to, the Public Utilities Code, relating to renewable energy.

ASSEMBLY BILL NO. 1363—Jones. An act to add Chapter 2.8 (commencing with Section 16190) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to foster youth, and making an appropriation therefor.

ASSEMBLY BILL NO. 1364—Canciamilla. An act to add Section 2715 to the Public Utilities Code, relating to water corporations.

ASSEMBLY BILL NO. 1365—Ruskin. An act to amend Section 65041.1 of the Government Code, relating to state planning.

ASSEMBLY BILL NO. 1366—Lieber. An act to amend Section 84040 of the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 1367—Evans. An act relating to local planning.

ASSEMBLY BILL NO. 1368—Nunez. An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1369—Nunez. An act relating to state employees.

ASSEMBLY BILL NO. 1370—Matthews. An act to amend Section 1209 of the Business and Professions Code, relating to clinical laboratories.

ASSEMBLY BILL NO. 1371—Sharon Runner. An act to amend Section 1720 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 1372—Nunez and Arambula. An act to add Section 17012 to the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 1373—Umberg. An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 1375—Nation. An act to add Section 23184 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 1377—Dymally (Coauthor: Berg). An act to amend Section 46305 of the Education Code, relating to school finance.

ASSEMBLY BILL NO. 1378—Lieber. An act to add Section 854.1 to the Government Code, and to add Section 4474.2 to the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 1379—Lieber. An act relating to day laborers.

ASSEMBLY BILL NO. 1380—Gordon (Coauthors: Jerome Horton, Kernette, Koretz, Montanez, Oropeza, Pavley, and Umberg). An act to add Section 7945 to the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 1381—Nunez. An act to amend Section 104575 of the Health and Safety Code, relating to nutrition.

ASSEMBLY BILL NO. 1382—Nakanishi. An act to add Sections 111723 and 111785.3 to the Health and Safety Code, relating to contact lenses.

ASSEMBLY BILL NO. 1383—Pavley. An act to add and repeal Chapter 5.6 (commencing with Section 25460) of Division 15 of the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 1384—Laird. An act relating to transportation.

ASSEMBLY BILL NO. 1385—Laird. An act to add Section 49561 to the Education Code, relating to pupil nutrition.

ASSEMBLY BILL NO. 1386—Laird. An act to amend Sections 1646.4, 1646.5, 1647, 1647.1, 1647.2, 1647.3, 1647.10, 1647.11, 1647.12, and 1647.14 of, to add Article 2.86 (commencing with Section 1647.18) to Chapter 4 of Division 2 of, and to repeal Section 1647.4 of, the Business and Professions Code, relating to dentistry.

ASSEMBLY BILL NO. 1387—Jones. An act to amend Section 21081 of the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 1388—Ridley-Thomas. An act to add Section 14666.9 to the Government Code, relating to state property.

ASSEMBLY BILL NO. 1389—Oropeza. An act to amend Section 13002 of the Health and Safety Code, and to amend Section 374.4 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 1390—Jones. An act to amend Sections 33334.2 and 33334.22 of, and to amend and repeal Section 33413 of, the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 1391—Leno. An act to amend Sections 82027.5 and 82048.7 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 1392—Umberg. An act to amend Section 49548 of the Education Code, relating to pupil nutrition.

ASSEMBLY BILL NO. 1393—Berg. An act to amend Section 150 of the Health and Safety Code, relating to health.

ASSEMBLY BILL NO. 1394—Sharon Runner. An act to amend Sections 48000 and 48010 of the Education Code, relating to pupil admission.

ASSEMBLY BILL NO. 1395—Nunez. An act relating to international relations.

ASSEMBLY BILL NO. 1396—Garcia. An act relating to the Healthy Families Program, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1397—Arambula. An act to amend Sections 1240.650 and 1245.250 of the Code of Civil Procedure, relating to eminent domain.

ASSEMBLY BILL NO. 1398—Plescia. An act to add Division 40 (commencing with Section 60000) to the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 1399—Garcia. An act relating to student financial aid.

ASSEMBLY BILL NO. 1400—Laird (Coauthors: Evans, Goldberg, Hancock, Koretz, Leno, Levine, Lieber, and Montanez) (Coauthors: Senators Kehoe, Kuehl, and Migden). An act to amend Sections 51, 51.5, 51.7, 51.8, and 53 of the Civil Code, relating to civil rights.

ASSEMBLY BILL NO. 1401—Hancock. An act to amend Section 12710 of the Government Code, relating to tribal gaming.

ASSEMBLY BILL NO. 1402—Blakeslee. An act to amend Section 84207 of, and to add Article 1.5 (commencing with Section 84730) to Chapter 5 of Part 50 of, the Education Code, relating to community colleges, and making an appropriation therefor.

ASSEMBLY BILL NO. 1403—Coto. An act to amend Sections 17041 and 17062 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1404—Coto. An act to amend Section 82011 of the Government Code, relating to conflicts of interest.

ASSEMBLY BILL NO. 1405—Evans. An act to amend Section 31453 of the Government Code, relating to county retirement systems.

ASSEMBLY BILL NO. 1406—Karnette. An act to add Section 1750 to the Harbors and Navigation Code, relating to ports and harbors.

ASSEMBLY BILL NO. 1407—Oropeza. An act to add Division 29 (commencing with Section 38000) to the Public Resources Code, relating to the environment.

ASSEMBLY BILL NO. 1408—Shirley Horton. An act to amend Section 1520.5 of the Health and Safety Code, relating to residential care facilities.

ASSEMBLY BILL NO. 1409—Baca. An act to add Section 60851.2 to the Education Code, relating to academic assessment.

ASSEMBLY BILL NO. 1410—Baca. An act to add Article 3.7 (commencing with Section 52367) to Chapter 9 of Part 28 of the Education Code, relating to career technical education.

ASSEMBLY BILL NO. 1411—DeVore. An act to add Section 734.5 to the Public Utilities Code, relating to telephone corporations.

ASSEMBLY BILL NO. 1412—Leno. An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, and 16501.1 of the Welfare and Institutions Code, relating to dependent children.

ASSEMBLY BILL NO. 1413—DeVore. An act to amend Section 20002 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1414—Berg. An act to amend Section 900 of the Health and Safety Code, relating to environmental health.

ASSEMBLY BILL NO. 1415—Pavley (Coauthors: Chan, Goldberg, and Hancock) (Coauthor: Senator Figueroa). An act to amend Section 25214.8.1 of, to amend the heading of Article 10.2.1 (commencing with Section 25214.8.1) of Chapter 6.5 of Division 20 of, to add Sections 25214.8.3 and 25214.8.4 to, and to add Article 10.2.2 (commencing with Section 25214.8.5) to Chapter 6.5 of Division 20 of, the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 1416—Goldberg. An act to amend Section 17078.30 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 1417—Daucher. An act to amend Section 56502 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 1418—Jerome Horton. An act to add Section 1367.91 to the Health and Safety Code, and to add Section 10123.91 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 1419—Parra. An act to amend Sections 22105, 22106, and 22152 of, to repeal Section 22102 of, and to repeal and add Sections 22108 and 22153 of, the Financial Code, relating to finance lenders.

ASSEMBLY BILL NO. 1420—Niello. An act to amend Section 42238 of the Education Code, relating to education finance.

ASSEMBLY BILL NO. 1421—Laird (Coauthor: Salinas). An act to add Section 115 to the Water Code, relating to water.

ASSEMBLY BILL NO. 1422—Bogh. An act to add Section 1418.95 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 1423—Bogh. An act relating to water.

ASSEMBLY BILL NO. 1424—Saldana. An act to amend Section 1775.9 of the Insurance Code, and Sections 12491, 12493, 12494, 12495, and 12636.5 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1425—Daucher. An act to amend Section 87482.6 of the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 1426—Liu. An act to amend Section 597u of, and to repeal Section 597w of, the Penal Code, relating to animals.

ASSEMBLY BILL NO. 1427—Mountjoy. An act to add Section 123447 to the Health and Safety Code, relating to abortion.

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

ASSEMBLY BILL NO. 1429—Blakeslee. An act to amend Section 11623 of the Insurance Code, relating to auto insurance.

ASSEMBLY BILL NO. 1430—Goldberg. An act to amend Section 39607.5 of the Health and Safety Code, relating to air resources.

ASSEMBLY BILL NO. 1431—Saldana. An act to amend Sections 8494, 8495, and 8841 of the Fish and Game Code, relating to fishing.

ASSEMBLY BILL NO. 1432—Emmerson. An act to add Section 56002 to the Government Code, relating to local government formation.

ASSEMBLY BILL NO. 1433—Emmerson. An act to amend Section 65580 of the Government Code, relating to housing.

ASSEMBLY BILL NO. 1434—Shirley Horton. An act to amend Section 1725 of the Health and Safety Code, relating to home health agencies.

ASSEMBLY BILL NO. 1435—Evans. An act to amend Section 76100 of the Government Code, relating to courts.

ASSEMBLY BILL NO. 1436—Baca. An act to add Section 69433.3 to the Education Code, relating to student financial aid, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1437—Strickland. An act to amend Section 14998.11 of the Government Code, relating to the Film Office.

ASSEMBLY BILL NO. 1438—Salinas. An act to amend Section 54953 of the Government Code, relating to local agencies.

ASSEMBLY BILL NO. 1439—Committee on Veterans Affairs (Gordon (Chair), DeVore (Vice Chair), Canciamilla, Chavez, Evans, Oropeza, Plescia, Sharon Runner, and Saldana). An act to amend Section 987.65 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 1440—Baca. An act to relating to schools.

ASSEMBLY BILL NO. 1441—Montanez. An act relating to domestic workers.

ASSEMBLY BILL NO. 1442—Jerome Horton. An act to amend Section 25503.6 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 1443—Hancock. An act to amend Sections 26908.5 and 36525 of the Government Code, relating to local agency auditors.

ASSEMBLY BILL NO. 1444—Jerome Horton. An act to amend Section 411.35 of the Code of Civil Procedure, relating to malpractice actions.

ASSEMBLY BILL NO. 1445—Umberg. An act to add Section 66025.7 to the Education Code, relating to student financial aid.

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

ASSEMBLY BILL NO. 1447—Garcia. An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1448—Saldana. An act to add Section 1091.35 to the Government Code, relating to conflicts of interest.

ASSEMBLY BILL NO. 1449—Bermudez. An act to add Section 594.2 to the Penal Code, relating to vandalism.

ASSEMBLY BILL NO. 1450—Evans. An act to repeal Section 65586 of the Government Code, relating to land use.

ASSEMBLY BILL NO. 1451—Montanez. An act to amend Section 17071.75 of, and to repeal Sections 17071.35 and 17071.40 of, the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 1452—Nunez. An act to amend, repeal, and add Section 66205 of the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 1453—Daucher. An act to add Section 399.5 to the Code of Civil Procedure, relating to venue.

ASSEMBLY BILL NO. 1454—Calderon. An act to amend Section 139.31 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1455—Yee. An act relating to lending.

ASSEMBLY BILL NO. 1456—Leslie. An act to amend Section 1399.60 of the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 1457—Baca. An act relating to state property.

ASSEMBLY BILL NO. 1458—De La Torre. An act to amend Section 280.5 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 1459—Canciamilla. An act to amend Section 116.220 of the Code of Civil Procedure, relating to small claims court.

ASSEMBLY BILL NO. 1460—Umberg. An act to amend Section 66499.7 of the Government Code, relating to subdivided lands.

ASSEMBLY BILL NO. 1461—Salinas. An act to amend Sections 50825, 50826, 50827, 50828, 50831, 50832, and 50833 of the Health and Safety Code, relating to community development.

ASSEMBLY BILL NO. 1462—Torrico. An act to amend Section 14528.7 of the Government Code, relating to transportation.

ASSEMBLY BILL NO. 1463—Berg. An act to amend Section 9102 of the Welfare and Institutions Code, relating to aging.

ASSEMBLY BILL NO. 1464—McCarthy. An act to amend Section 21091 of the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 1465—Mountjoy. An act to amend Section 2653 of the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 1466—Laird (Coauthors: Senators Battin and Ducheny). An act to add Part 11 (commencing with Section 12999) to Division 6 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1467—Laird. An act to amend Sections 17581 and 17581.5 of the Government Code, relating to state mandates.

ASSEMBLY BILL NO. 1468—McCarthy. An act to amend Sections 45103.1 and 88003.1 of the Education Code, relating to school employees.

ASSEMBLY BILL NO. 1469—Negrete McLeod. An act to add Sections 798.54 and 798.54.5 to the Civil Code, relating to mobilehome parks.

ASSEMBLY BILL NO. 1470—Negrete McLeod. An act to amend Section 13150 of the Penal Code, relating to criminal history information.

ASSEMBLY BILL NO. 1471—McCarthy. An act to add Article 4.3 (commencing with Section 3260) to Chapter 1 of Division 3 of the Public Resources Code, relating to oil and gas, and making an appropriation therefor.

ASSEMBLY BILL NO. 1472—Coto. An act to amend Section 33333.10 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 1473—Coto. An act to amend Section 404 of the Business and Professions Code, relating to the state government.

ASSEMBLY BILL NO. 1474—Maze. An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1475—Maze. An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1476—Nakanishi. An act to amend Section 103885 of the Health and Safety Code, relating to cancer registry.

ASSEMBLY BILL NO. 1477—DeVore. An act to amend Section 9105 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1478—Frommer. An act relating to gaming.

ASSEMBLY BILL NO. 1479—Frommer. An act relating to housing.

ASSEMBLY BILL NO. 1480—Maze. An act to add Article 1.3 (commencing with Section 78017) to Chapter 1 of Part 48 of the Education Code, relating to agricultural education.

ASSEMBLY BILL NO. 1481—Richman. An act to add Section 14087.306 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 1482—Canciamilla. An act to amend Section 15146 to the Education Code, relating to education finance.

ASSEMBLY BILL NO. 1483—Arambula. An act relating to the Fresno Unified School District.

ASSEMBLY BILL NO. 1484—Wyland. An act to amend Section 6600 of the Welfare and Institutions Code, relating to sexually violent predators.

ASSEMBLY BILL NO. 1485—Wyland. An act to amend Section 14043.2 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 1486—Wyland. An act relating to employment.

ASSEMBLY BILL NO. 1487—Wyland. An act to add and repeal Section 5090.33 to the Public Resources Code, relating to off-highway motor vehicle recreation, and making an appropriation therefor.

ASSEMBLY BILL NO. 1488—Wyland. An act to add and repeal Sections 18154 and 24996 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1489—Calderon. An act to amend Section 13082 of the Financial Code, relating to point-of-sale systems.

ASSEMBLY BILL NO. 1490—Canciamilla. An act add Section 44225.8 to the Education Code, relating to teacher credentials.

ASSEMBLY BILL NO. 1491—Calderon. An act to amend Section 65584.3 of the Government Code, relating to redevelopment.

ASSEMBLY BILL NO. 1492—Evans. An act to add Section 51220.7 to the Education Code, relating to pupil instruction.

ASSEMBLY BILL NO. 1493—Calderon. An act to amend Sections 13352 and 23109 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1494—Baca. An act to amend Section 25503.5 of the Business and Professions Code, relating to alcoholic beverage control.

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

ASSEMBLY BILL NO. 1496—Goldberg. An act to amend Section 42289.6 of the Education Code, relating to necessary small schools.

ASSEMBLY BILL NO. 1497—Baca. An act to add Section 7073.5 to the Government Code, relating to economic development.

ASSEMBLY BILL NO. 1498—Hancock. An act to amend Section 71 of the Streets and Highways Code, relating to streets and highways.

ASSEMBLY BILL NO. 1499—Benoit. An act to add Section 5442.6 to the Business and Professions Code, relating to outdoor advertising.

ASSEMBLY BILL NO. 1500—Maze and Matthews. An act to amend Section 7300.3 of the Labor Code, relating to safety of conveyances.

ASSEMBLY BILL NO. 1501—Yee. An act to add and repeal Section 731.3 of the Welfare and Institutions Code, relating to juvenile prostitution.

ASSEMBLY BILL NO. 1502—Salinas. An act relating to child custody.

ASSEMBLY BILL NO. 1503—Mullin and Chan (Coauthors: Berg and Laird). An act to add Section 42238.53 to the Education Code, relating to school finance.

ASSEMBLY BILL NO. 1504—La Suer and Mountjoy (Coauthors: Benoit, Bermudez, Canciamilla, Cogdill, DeVore, Haynes, Houston, La Malfa, Leslie, Maze, McCarthy, Nakanishi, Parra, Richman, Spitzer, Strickland, Tran, Villines, and Wyland) (Coauthors: Senators Hollingsworth and Runner). An act to amend Section 12816 of, and to add Section 12804.11 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1505—La Suer. An act to amend Sections 2085.5, 3000, and 6231 of the Penal Code, relating to restitution.

ASSEMBLY BILL NO. 1506—Berg. An act to to amend Section 1179 of the Health and Safety Code, relating to rural health.

ASSEMBLY BILL NO. 1507—Pavley (Coauthor: Vargas). An act to add Section 104113 to the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 1508—Committee on Agriculture (Matthews (Chair), Maze (Vice Chair), Blakeslee, Cogdill, Parra, Salinas, and Vargas). An act to amend Sections 52254, 52254.4, 52254.5, 52257.6, 52257.8, 52260, 52311, 52331, 52332, 52351, 52354, 52361, 52391, 52401, 52451, 52452, 52481, 52482, 52483, 52484, 52487, and 52511 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 1509—Garcia. An act relating to credit card issuers.

ASSEMBLY BILL NO. 1510—Calderon. An act to amend Section 19849.18 of the Government Code, relating to state employees.

ASSEMBLY BILL NO. 1511—Evans (Coauthor: Wolk). An act to amend Section 20133 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 1512—Garcia. An act to amend Section 50911 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 1513—Cogdill. An act to amend Section 309 of the Corporations Code, relating to corporations.

ASSEMBLY BILL NO. 1514—Villines. An act to amend Section 60.9 of the Labor Code, relating to occupational safety and health.

ASSEMBLY BILL NO. 1515—Mullin. An act relating to voter registration.

ASSEMBLY BILL NO. 1516—Arambula. An act to amend Section 15570 of the Government Code, relating to economic development.

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

ASSEMBLY BILL NO. 1518—Jerome Horton (Coauthor: Senator Vincent). An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

ASSEMBLY BILL NO. 1519—Emmerson (Coauthors: Huff, Maze, McCarthy, and Sharon Runner) (Coauthor: Senator Soto). An act to amend Sections 26202.6, 26206.8, 34090.6, 34090.8, 53160, and 53162 of, the Government Code, relating to government records.

ASSEMBLY BILL NO. 1520—Niello. An act to amend Section 21800 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1521—Ridley-Thomas. An act to amend Section 52.3 of the Civil Code, relating to civil rights.

ASSEMBLY BILL NO. 1522—Ridley-Thomas. An act relating to redevelopment.

ASSEMBLY BILL NO. 1523—Blakeslee. An act to amend Section 19771 of the Government Code, relating to public employment.

ASSEMBLY BILL NO. 1524—Laird and Nava. An act to add Section 30629 to the Public Resources Code, relating to coastal resources.

ASSEMBLY BILL NO. 1525—Levine. An act to add Section 24475 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1526—Bogh. An act to add Section 21541.2 to the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 1527—Liu. An act to add Sections 760.2 and 955 to the Financial Code, relating to banks.

ASSEMBLY BILL NO. 1528—Jones. An act to amend Section 47 of the Civil Code, relating to privileged communications.

ASSEMBLY BILL NO. 1529—Jones. An act to amend Sections 6140, 6140.55, 6140.6, 6140.9, 6141, and 6141.1 of the Business and Professions Code, relating to attorneys.

ASSEMBLY BILL NO. 1530—La Malfa. An act to add Chapter 33 (commencing with Section 7599) to Division 7 of Title 1 of the Government Code, relating to public funds.

ASSEMBLY BILL NO. 1531—Bass. An act to add Section 60856.1 to the Education Code, relating to academic assessment.

ASSEMBLY BILL NO. 1532—Bass. An act to amend Section 94960 of the Education Code, relating to private postsecondary education.

ASSEMBLY BILL NO. 1533—Bass. An act to amend Sections 1357 and 1357.50 of the Health and Safety Code, and to amend Section 10198.6 of the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 1534—Bass. An act to add Section 1534.1 to the Health and Safety Code, relating to community care facilities.

ASSEMBLY BILL NO. 1535—Bass. An act to add Section 4637.6 to the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 1536—Bass. An act to amend Section 831.4 of the Penal Code, relating to peace officer powers.

ASSEMBLY BILL NO. 1537—Bass. An act to add Section 23817.6 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 1538—Bass. An act to add Section 12301.9 to the Welfare and Institutions Code, relating to public social services.

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

ASSEMBLY BILL NO. 1540—Bass. An act to amend Section 211 of the Penal Code, relating to robbery.

ASSEMBLY BILL NO. 1541—Chavez. An act to amend Section 654.1 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 1542—Parra. An act relating to sentencing.

ASSEMBLY BILL NO. 1543—McCarthy. An act to amend Section 7076 of the Government Code, relating to enterprise zones.

ASSEMBLY BILL NO. 1544—McCarthy. An act relating to bond measures.

ASSEMBLY BILL NO. 1545—McCarthy. An act to amend Section 8021 of the Elections Code, relating to nominations.

ASSEMBLY BILL NO. 1546—Hancock. An act to add Section 57014 to the Health and Safety Code, relating to the environment.

ASSEMBLY BILL NO. 1547—Levine. An act to amend Section 25744 of, to add Section 25402.10 to, and to add Division 16.7 (commencing with Section 26421) to, the Public Resources Code, and to amend Sections 399.6, 399.8, 2827, 3345, and 3370 of, to add Sections 385.1 and 760 to, and to add Chapter 8 (commencing with Section 2830) to Part 2 of Division 1 of, the Public Utilities Code, relating to solar energy, and making an appropriation therefor.

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

ASSEMBLY BILL NO. 1549—Koretz. An act to amend Sections 139.2, 3209.3, and 4616.4 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1550—Arambula. An act to amend Section 26613 of the Government Code, relating to traffic enforcement.

ASSEMBLY BILL NO. 1551—Sharon Runner. An act to amend Sections 209, 220, 667.51, 667.61, 667.71, 3000, and 3001 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 1552—La Suer. An act to amend Section 132351.1 of the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 1553—Evans. An act to add Section 1281.12 to the Code of Civil Procedure, relating to arbitration.

ASSEMBLY BILL NO. 1554—Frommer. An act to amend Section 657 of the Insurance Code, relating to auto insurance.

ASSEMBLY BILL NO. 1555—La Malfa. An act to amend Section 399.12 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 1556—Salinas. An act to amend Section 8202 of the Education Code, relating to child care and development.

ASSEMBLY BILL NO. 1557—Karnette. An act to amend Section 30534 of the Public Resources Code, relating to the California Coastal Commission.

ASSEMBLY BILL NO. 1558—Wolk. An act to add Chapter 3.5 (commencing with Section 83500) to Title 9 of the Government Code, relating to the Fair Political Practices Commission.

ASSEMBLY BILL NO. 1559—Gordon. An act to add Chapter 7.2 (commencing with Section 8669) to Division 1 of Title 2 of the Government Code, relating to financing a statewide communications interoperability development program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1560—Calderon. An act to amend Section 4303 of the Commercial Code, relating to commercial law.

ASSEMBLY BILL NO. 1561—Umberg. An act relating to state boards and commissions.

ASSEMBLY BILL NO. 1562—Committee on Jobs, Economic Development, and the Economy (Arambula (Chair), Canciamilla, Houston, and Oropeza). An act to add Section 13985 to, and to add Article 6.5 (commencing with Section 12065) to Chapter 1 of Part 2 of Division 3 of Title 2 of, the Government Code, relating to international trade.

ASSEMBLY BILL NO. 1563—Committee on Jobs, Economic Development, and the Economy (Arambula (Chair), Canciamilla, Houston, and Oropeza). An act to amend Section 7085 of the Government Code, relating to enterprise zones.

ASSEMBLY BILL NO. 1564—Committee on Jobs, Economic Development, and the Economy (Arambula (Chair), Canciamilla, Houston, and Oropeza). An act to amend Section 8330 of the Government Code, relating to information technology.

ASSEMBLY BILL NO. 1565—Pavley (Coauthors: Dymally and Shirley Horton). An act to add Article 16.3 (commencing with Section 8375) to Chapter 2 of Part 6 of the Education Code, relating to child care.

ASSEMBLY BILL NO. 1566—Calderon. An act to amend Section 530.5 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 1567—Torrico. An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1568—Torrico. An act relating to public employee retirement systems.

ASSEMBLY BILL NO. 1569—Cogdill. An act relating to education finance.

ASSEMBLY BILL NO. 1570—Salinas. An act to amend Section 44253.4 of the Education Code, relating to teacher credentialing.

ASSEMBLY BILL NO. 1571—Haynes. An act to amend Section 11200 of the Welfare and Institutions Code, relating to CalWORKs.

ASSEMBLY BILL NO. 1572—Nakanishi. An act to amend Section 4903.05 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1573—Garcia. An act to add Sections 17140.5 and 17204.6 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1574—Jones. An act relating to housing discrimination.

ASSEMBLY BILL NO. 1575—Niello. An act relating to endoscopy.

ASSEMBLY BILL NO. 1576—Nunez. An act to amend Section 26003 of the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 1577—Benoit. An act to amend Section 1040 of the Evidence Code, and to amend Sections 605, 634.5, 682, 684, 708, 708.5, 828, 1025, 1032, 1111, 1111.5, 1142, 1222, 1260, 1261, 1281, 1451, 2051, 2061, 2781, 3254.5, 9003, 9604, 9605, 9608, 9615, 9616.1, 10212.2, 11000, 11001, 11002, 11003, 11004, 13002, 13009, 13009.5, 13021, 15001, and 15005 of, to amend and renumber Sections 1256.1, 1256.2, 1256.3, 1256.5, and 1256.7 of, to add Section 1256.1 to, to repeal Sections 301.5, 1301, 1302, 1303, 1304, 1304, 1305, 1306, 1307, 1308, 9106, 10521, 10523, 10524, 10525, and 10527 of, to repeal Article 8.5 (commencing with Section 1150) of Chapter 4 of Part 1 of Division 1 of, to repeal Division 2 (commencing with Section 5000) of, to repeal Chapter 3 (commencing with Section 10000) and Chapter 6 (commencing with Section 11010) of Part 1 of Division 3 of, and to repeal Division 4 (commencing with Section 12000) of, and to repeal and add Section 1280 of, the Unemployment Insurance Code, relating to unemployment compensation.

ASSEMBLY BILL NO. 1578—Bermudez. An act to add Section 41858 to the Education Code, relating to school transportation.

ASSEMBLY BILL NO. 1579—Aghazarian. An act to amend Section 1417.2 of the Health and Safety Code, relating to longterm health care facilities, and making an appropriation therefor.

ASSEMBLY BILL NO. 1580—Torricono. An act relating to taxation.

ASSEMBLY BILL NO. 1581—Garcia. An act to amend Section 530 of the Penal Code, relating to identity theft.

ASSEMBLY BILL NO. 1582—Dymally. An act to amend Section 7071 of the Government Code, relating to enterprise zones.

ASSEMBLY BILL NO. 1583—Montanez (Coauthor: Senator Speier). An act relating to mortgage guaranty insurance.

ASSEMBLY BILL NO. 1584—Evans. An act to amend Section 15037 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 1585—Blakeslee. An act to amend Sections 25740, 25746, 25747, and 25750 of, to add Section 25752 to, and to repeal Section 25749 of, the Public Resources Code, to amend Sections 385, 387, 399.6, 399.12, 399.13, 399.14, and 399.15 of, and to add Section 399.17 to, the Public Utilities Code, relating to renewable energy resources, and making an appropriation therefor.

ASSEMBLY BILL NO. 1586—Koretz, Goldberg, Laird, Leno, and Lieber (Principal coauthor: Senator Kuehl) (Coauthor: Senator Kehoe). An act to amend Section 1365.5 of the Health and Safety Code, and to amend Section 679.71 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 1587—Saldana. An act to amend Section 107 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 1588—Negrete McLeod. An act to add Section 11340.95 to the Government Code, relating to administrative agencies.

ASSEMBLY BILL NO. 1589—Villines. An act to amend Section 6591.5 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1590—Lieber and Cohn (Principal coauthor: Senator Alquist) (Coauthors: Coto, Ruskin, Salinas, and Torricono) (Coauthor: Senator Figueroa). An act to amend Section 97.72 of the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1591—Chan. An act to add Section 14016.11 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 1592—Goldberg. An act to add Sections 44238.5 and 45062 to the Education Code, relating to teachers.

ASSEMBLY BILL NO. 1593—Coto. An act relating to child nutrition.

ASSEMBLY BILL NO. 1594—Umberg. An act to add Section 852 of the Military and Veterans Code, relating to military, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 1596—Emmerson. An act to amend Section 97.72 of the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1597—Laird. An act to amend Section 11364.7 of the Health and Safety Code, relating to drug paraphernalia.

ASSEMBLY BILL NO. 1598—Committee on Agriculture (Matthews (Chair), Maze (Vice Chair), Berg, Cogdill, Parra, Salinas, and Vargas). An act to amend Section 63901 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 1599—La Malfa. An act to add Section 15202.4 to the Government Code, relating to homicide trials.

ASSEMBLY BILL NO. 1600—Niello. An act to amend Section 20037 of the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 1601—Laird. An act to amend Section 1596.66 of the Health and Safety Code, relating to child care, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1602—Laird (Coauthors: Benoit, Bogh, Cogdill, Haynes, Leslie, and Nakanishi) (Coauthors: Senators Alquist, Battin, Cox, Hollingsworth, and Maldonado). An act to amend Section 11005 of the Revenue and Taxation Code, relating to local government finance.

ASSEMBLY BILL NO. 1603—Shirley Horton. An act to amend Section 14202.2 of the Penal Code, relating to mental health.

ASSEMBLY BILL NO. 1604—Saldana. An act to amend Section 20651 of the Public Contract Code, relating to community colleges.

ASSEMBLY BILL NO. 1605—Wolk and Berg (Principal coauthor: Evans) (Principal coauthors: Senators Alquist and Simitian) (Coauthor: Pavley) (Coauthor: Senator Scott). An act to amend Sections 15634 and 15655.5 of, and to add Section 15630.1 to, the Welfare and Institutions Code, relating to elder and dependent adult abuse.

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

ASSEMBLY BILL NO. 1607—Houston. An act to amend Section 4850 of the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 1608—Liu. An act to add Section 51224.1 to the Education Code, relating to vocational education.

ASSEMBLY BILL NO. 1609—Liu. An act to amend Section 33126 of the Education Code, relating to vocational education.

ASSEMBLY BILL NO. 1610—Wolk. An act to amend Sections 33054, 47605, and 47612.5 of, and to add Section 47612.6 to, the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 1611—Ridley-Thomas. An act relating to energy resources.

ASSEMBLY BILL NO. 1612—Pavley (Principal coauthors: Jones and Saldana) (Principal coauthor: Senator Chesbro) (Coauthors: Chan, Chu, Hancock, Koretz, Levine, and Vargas) (Coauthors: Senators Escutia, Kehoe, Kuehl, Ortiz, Soto, and Torlakson). An act to add Division 12.8 (commencing with Section 19000) to the Public Resources Code, relating to cigarettes.

ASSEMBLY BILL NO. 1613—Klehs. An act relating to taxation.

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

ASSEMBLY BILL NO. 1615—Klehs. An act to add Section 15627 to, and to repeal Part 10 (commencing with Section 15700) of Division 3 of Title 2 of, the Government Code, and to add Section 20.5 to the Revenue and Taxation Code, relating to governmental organization.

ASSEMBLY BILL NO. 1616—Niello. An act to amend Section 5090.02 of the Public Resources Code, relating to parks.

ASSEMBLY BILL NO. 1617—Liu. An act to amend Sections 54235 and 54327 of the Government Code, relating to surplus residential property.

ASSEMBLY BILL NO. 1618—Klehs. An act to amend Sections 451 and 452 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1619—Klehs. An act to amend Section 3201.5 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1620—Klehs. An act to amend Section 19951 of the Business and Professions Code, relating to gambling.

ASSEMBLY BILL NO. 1621—Klehs. An act to amend Section 701.8 of the Public Utilities Code, relating to electrical corporations, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1622—Liu. An act to add Section 3260.3 to the Civil Code, relating to works of improvement.

ASSEMBLY BILL NO. 1623—Klehs. An act to add Chapter 2.66 (commencing with Section 65089.20) to Division 1 of Title 7 of the Government Code, and to add Section 9250.4 to the Vehicle Code, relating to transportation.

ASSEMBLY BILL NO. 1624—Vargas. An act to amend Section 4850 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1625—Klehs. An act to add Section 7550.7 to the Government Code, relating to state reports.

ASSEMBLY BILL NO. 1626—Klehs. An act to amend Section 1198.5 of the Labor Code, relating to personnel files.

ASSEMBLY BILL NO. 1627—Koretz. An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1628—Klehs. An act to amend Sections 18662, 18666, and 18668 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1629—Bermudez. An act relating to taxation.

ASSEMBLY BILL NO. 1630—Klehs. An act to amend Sections 18622 and 19057 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1631—Klehs. An act to add Section 19136.12 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1632—Blakeslee. An act relating to energy.

ASSEMBLY BILL NO. 1633—Evans. An act to add Chapter 6.2 (commencing with Section 13750) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to foster children.

ASSEMBLY BILL NO. 1634—McCarthy. An act to amend Section 38 of the Insurance Code, relating to notice.

ASSEMBLY BILL NO. 1635—McCarthy. An act to amend Section 14611 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 1636—Umberg. An act relating to voting systems.

ASSEMBLY BILL NO. 1637—Mountjoy. An act to amend Sections 27000 and 42001 of, and to add Section 42001.20 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1638—Nava. An act to amend Section 366.26 of the Welfare and Institutions Code, relating to adoption.

ASSEMBLY BILL NO. 1639—Sharon Runner. An act relating to hospital buildings.

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

ASSEMBLY BILL NO. 1641—Harman. An act relating to warranties.

ASSEMBLY BILL NO. 1642—Salinas. An act to amend Section 8800 of the Education Code, relating to education programs.

ASSEMBLY BILL NO. 1643—Jones. An act to amend Section 3523.5 of the Government Code, relating to state employment relations.

ASSEMBLY BILL NO. 1644—De La Torre. 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.

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

ASSEMBLY BILL NO. 1646—Committee on Higher Education (Liu (Chair), Bass, Shirley Horton, Matthews, and Nava). An act relating to community colleges.

ASSEMBLY BILL NO. 1647—Negrete McLeod. An act to amend Section 830.3 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 1648—Pavley (Principal coauthors: Senators Escutia and Soto) (Coauthors: Dymally, Goldberg, Hancock, Oropeza, and Wolk) (Coauthors: Senators Figueroa and Kuehl). An act to add Chapter 5.5 (commencing with Section 104307) to Part 1 of Division 103 of the Health and Safety Code, relating to health, and making an appropriation therefor.

ASSEMBLY BILL NO. 1649—Liu (Coauthor: Mountjoy) (Coauthor: Senator Margett). An act to amend Sections 132400, 132410, and 132415 of, and to amend the heading of Chapter 6 (commencing with Section 132400) of Division 12.7 of, the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 1650—Emmerson. An act relating to MediCal.

ASSEMBLY BILL NO. 1651—Garcia. An act relating to public contracts.

ASSEMBLY BILL NO. 1652—Haynes. An act to amend Section 3517.8 of the Government Code, relating to state employment relations.

ASSEMBLY BILL NO. 1653—Haynes. An act to amend Section 12306.1 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1654—De La Torre. An act to add Article 7 (commencing with Section 10390) to Chapter 2 of Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 1655—Jerome Horton. An act to add Section 19605.21 to the Business and Professions Code, relating to horse racing and making an appropriation therefor.

ASSEMBLY BILL NO. 1656—Vargas. An act to amend Section 109948.1 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 1657—Evans. An act to add and repeal Section 13969.7 of the Government Code and to amend Section 1464 of, and to add Sections 11166.6 and 11166.7 to, the Penal Code, relating to child victims.

ASSEMBLY BILL NO. 1658—Jerome Horton. An act to amend Section 5485 of the Business and Professions Code, relating to outdoor advertising.

ASSEMBLY BILL NO. 1659—Levine. An act relating to animals.

ASSEMBLY BILL NO. 1660—Pavley (Coauthors: Hancock, Jones, Laird, and Nation). An act to add Article 1.5 (commencing with Section 44810) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1661—Jerome Horton. An act to amend Section 23356.2 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 1662—Lieber. An act to amend Section 56515 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 1663—Jones (Coauthor: Senator Ortiz). An act to amend Section 8169.6 of the Government Code, relating to state building construction.

ASSEMBLY BILL NO. 1664—Gordon (Principal coauthor: Calderon) (Coauthors: Bass, Bermudez, Chavez, Cohn, Shirley Horton, Huff, Koretz, Parra, and Vargas). An act to add Section 23 to the Financial Code, and to amend Section 7480 of the Government Code, relating to elder abuse reporting.

ASSEMBLY BILL NO. 1665—Laird. An act to amend Section 10295 of the Public Contract Code, and to amend Section 8551 of, to add Part 6 (commencing with Section 9600) and Part 7 (commencing with Section 9660) to Division 5 of, the Water Code, relating to water.

ASSEMBLY BILL NO. 1666—Frommer. An act to amend Section 981.2 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 1667—Saldana. An act to amend Section 49423.5 of the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 1668—Salinas. An act to amend Section 60630 of the Education Code, relating to pupil assessment.

ASSEMBLY BILL NO. 1669—Chu. An act to amend Section 12960 of the Government Code, relating to employment.

ASSEMBLY BILL NO. 1670—Nation and Richman. An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to health care coverage.

ASSEMBLY BILL NO. 1671—Richman and Nation. An act to add Part 1.5 (commencing with Section 437) to Division 1 of the Health and Safety Code, relating to health care programs.

ASSEMBLY BILL NO. 1672—Nation and Richman. An act to add Section 684 to the Business and Professions Code, to add Sections 1250.06, 1348.5, 1378.1, and 123149.1 to the Health and Safety Code, and to add Section 10119.1 to the Insurance Code, relating to health care.

ASSEMBLY BILL NO. 1673—Nation and Richman. An act to amend Sections 130063.2 and 130065 of, and to repeal Sections 130060 and 130063 of, the Health and Safety Code, relating to seismic safety.

ASSEMBLY BILL NO. 1674—Richman and Nation. An act to add Section 1342.2 to the Health and Safety Code, relating to managed health care.

ASSEMBLY BILL NO. 1675—Nation and Richman. An act to add Section 14105.32 to the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 1676—Richman and Nation. An act to add Section 7195 to the Health and Safety Code, relating to death.

ASSEMBLY BILL NO. 1677—Koretz (Coauthor: Goldberg). An act to add Section 5012 to the Penal Code, relating to inmates.

ASSEMBLY BILL NO. 1678—Saldana. An act relating to ports and harbors.

ASSEMBLY BILL NO. 1679—Mullin. An act to amend Section 8875.1 of the Government Code, relating to building standards.

ASSEMBLY BILL NO. 1680—Daucher. An act to add Section 48003 to the Education Code, relating to kindergarten.

ASSEMBLY BILL NO. 1681—Pavley (Coauthors: Bermudez and Negrete McLeod). An act to add Chapter 33 (commencing with Section 22948) to Division 8 of the Business and Professions Code, relating to online services.

ASSEMBLY BILL NO. 1682—Torrico. An act to amend Section 17001 of the Business and Professions Code, relating to unfair trade practices.

ASSEMBLY BILL NO. 1683—Shirley Horton. An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 1684—Klehs. An act to amend Section 12841 of the Food and Agricultural Code, relating to pesticide.

ASSEMBLY BILL NO. 1685—Klehs. An act to amend Section 32255 of, and to repeal and add Section 32255.6 of, the Education Code, relating to agricultural education programs.

ASSEMBLY BILL NO. 1686—Blakeslee. An act to amend Section 834b of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 1687—Calderon. An act relating to financial institutions.

ASSEMBLY BILL NO. 1688—Niello. An act to amend Section 25515 of the Government Code, relating to county property.

ASSEMBLY BILL NO. 1689—Lieber. An act to add Section 5865.5 to the Welfare and Institutions Code, relating to child health care.

ASSEMBLY BILL NO. 1690—Laird. An act relating to municipal services.

ASSEMBLY BILL NO. 1691—Lieber. An act to add Section 44356 to the Education Code, relating to teacher credentials.

ASSEMBLY BILL NO. 1692—Jerome Horton. An act to add Section 6458 to the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1693—Matthews. An act to amend Sections 44531 and 44534 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1694—Leno. An act to add Section 1785.15.5 to the Civil Code, relating to consumer credit reporting.

ASSEMBLY BILL NO. 1695—Goldberg. An act to amend Section 44909 of the Education Code, relating to certificated employees.

ASSEMBLY BILL NO. 1696—Niello. An act to amend Section 5503 of the Public Resources Code, relating to park districts.

ASSEMBLY BILL NO. 1697—Pavley (Principal coauthor: Senator Escutia). An act to add Section 1596.957 to the Health and Safety Code, relating to day care centers.

ASSEMBLY BILL NO. 1698—Nunez. An act to amend Section 1373 of the Health and Safety Code, and to amend Section 10277 of the Insurance Code, relating to health care.

ASSEMBLY BILL NO. 1699—Frommer. An act to add Article 6.9 (commencing with Section 20209.20) to Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 1700—Pavley (Principal coauthor: Senator Escutia) (Coauthor: Berg) (Coauthor: Senator Kuehl). An act to add Section 188 to the Code of Civil Procedure, relating to secrecy agreements.

ASSEMBLY BILL NO. 1701—Bass. An act to amend Section 102249 of, and to add Section 103625.5 to, the Health and Safety Code, relating to vital records.

ASSEMBLY BILL NO. 1702—Frommer. An act to amend Section 65583 of the Government Code, relating to housing.

ASSEMBLY BILL NO. 1703—Bogh. An act to amend Section 12500 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1704—Richman. An act to amend Sections 216, 331, 365, 366, 366.2, and 454.5 of, to add Sections 399.20 and 9609 to, to add Article 17 (commencing with Section 400) to Chapter 2.3 of Part 1 of Division 1 of, and to repeal Section 454.5 of, the Public Utilities Code, and to amend Section 80110 of the Water Code, relating to electricity.

ASSEMBLY BILL NO. 1705—Keene. An act to amend Sections 4526, 4628, and 4590 of, and to add Article 7.75 (commencing with Section 4598) to Chapter 8 of Part 2 of Division 4 of, the Public Resources Code, relating to forestry.

ASSEMBLY BILL NO. 1706—Strickland. An act to amend Section 1808.4 of the Vehicle Code, relating to records.

ASSEMBLY BILL NO. 1707—Chan. An act to amend Section 16531.1 of the Government Code, relating to MediCal, and making an appropriation therefor.

ASSEMBLY BILL NO. 1708—DeVore. An act to amend Section 3517.5 of the Government Code, relating to state employment relations.

ASSEMBLY BILL NO. 1709—Wyland. An act to add Section 1182.2 to the Labor Code, relating to workplace postings.

ASSEMBLY BILL NO. 1710—Wyland. An act to add Article 7.6 (commencing with Section 12690) to Chapter 6 of Title 2 of Part 4 of the Penal Code, relating to tasers.

ASSEMBLY BILL NO. 1711—Strickland. An act to add Section 1261.3 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 1712—Hancock. An act relating to CalWORKs.

ASSEMBLY BILL NO. 1713—Villines. An act to add Part 4.75 (commencing Section 12260) to Division 6 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1714—Plescia. An act to amend Sections 180.1, 180.7, 188.5, and 31010 of, to add Sections 31010.1, 31010.2, and 31074 to, and to repeal Sections 31015 and 31070 of, the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1715—Nation. An act to amend Section 3005 of the Penal Code, relating to parolees.

ASSEMBLY BILL NO. 1716—Haynes. An act to amend Section 9880.1 of the Business and Professions Code, relating to automotive repair.

ASSEMBLY BILL NO. 1717—Lieber. An act to amend Section 19524 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1718—Mountjoy. An act to amend Section 51182 of the Government Code, and to amend Section 4291 of the Public Resources Code, relating to forestry and fire protection.

ASSEMBLY BILL NO. 1719—Plescia. An act to amend Section 8880.28 of the Government Code, relating to the California State Lottery.

ASSEMBLY BILL NO. 1720—Dymally. An act to amend Sections 4305 and 4308 of the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 1721—Pavley. An act to amend Section 60041 of the Education Code, to amend Sections 71301, 72302, 71303, 71304, and 71305 of the Public Resources Code, and to add Section 13383.6 to the Water Code, relating to environmental education, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1722—Nunez. An act to amend Section 66907.4 of the Government Code, relating to the California Tahoe Conservancy.

ASSEMBLY BILL NO. 1723—La Malfa. An act to add Section 25302.5 to the Public Resources Code, relating to energy resources.

ASSEMBLY BILL NO. 1724—Villines. An act to add Section 13529.5 to the Water Code, relating to water.

ASSEMBLY BILL NO. 1725—La Malfa. An act to amend Section 15819.60 of the Government Code, relating to veterans.

ASSEMBLY BILL NO. 1726—Klehs. An act to amend Section 2982.5 of the Civil Code, and to amend Section 14860 of, and to add Section 14657 to, the Financial Code, relating to credit unions.

ASSEMBLY BILL NO. 1727—Aghazarian. An act to amend 13201, 13220, 13223, and 13388 of, and to add Sections 186.5 and 13209 to, the Water Code, relating to water quality control agencies.

ASSEMBLY BILL NO. 1728—Houston. An act to amend Section 23140 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1729—Houston. An act to amend Sections 10232.4, 10233, and 10238 of the Business and Professions Code, relating to real estate.

ASSEMBLY BILL NO. 1730—La Malfa and Matthews. An act to repeal Sections 12811.5 and 12837 of the Food and Agricultural Code, relating to pesticide.

ASSEMBLY BILL NO. 1731—La Malfa. An act to amend Section 14133 of the Welfare and Institutions Code, relating to MediCal.

ASSEMBLY BILL NO. 1732—La Malfa. An act to amend Section 895 of the Public Utilities Code, relating to natural gas, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1733—Harman. An act to amend Section 1624 of the Civil Code, relating to contracts.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 12—Umberg. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending, repealing, and adding Sections 10 and 12 of Article IV thereof, by amending Section 10.5 of, amending, repealing, and adding Sections 1, 2, 3, and 8 of, and adding Section 14 to, Article XIII B thereof, and by amending, repealing, and adding Sections 8 and 8.5 of, and amending Section 20 of, Article XVI thereof, relating to the state budget.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 13—Harman, Jones, and Mullin. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 2 and 5 of Article XIII D thereof, relating to local government finance.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 23—Garcia. Relative to commercial truck traffic.

ASSEMBLY CONCURRENT RESOLUTION NO. 24—Mullin. Relative to the California Council on Science and Technology.

ASSEMBLY CONCURRENT RESOLUTION NO. 25—Benoit and McCarthy (Coauthors: Aghazarian, Cogdill, Daucher, DeVore, Emmerson, Garcia, Harman, Haynes, Shirley Horton, Houston, Huff, Keene, La Malfa, Leslie, Mountjoy, Nakanishi, Niello, Richman, Sharon Runner, Spitzer, Tran, Villines, and Wyland). Relative to Rotary International Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 26—Liu. Relative to Arts Education Month.

ASSEMBLY JOINT RESOLUTION NO. 8—Canciamilla. Relative to marine pollution.

ASSEMBLY JOINT RESOLUTION NO. 9—Shirley Horton. Relative to transportation.

HOUSE RESOLUTION NO. 8—Wolk. Relative to National Library Week.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Office, Sacramento
February 22, 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. 1 of 2005 to establish the Department of Corrections and Rehabilitation.

Sincerely,

ARNOLD SCHWARZENEGGER

Governor's Reorganization Plan No. 1 of 2005 ordered held at the Desk.

RECEIPT

I acknowledge receipt this 22nd day of February 2005 at 4:57 p.m., of the Governor's Reorganization Plan No. 1 of 2005, delivered to me personally by Pamela K. Oto.

HUGH R. SLAYDEN
Assistant Clerk of the Assembly

**MESSAGE FROM THE GOVERNOR
CONCERNING
PARDONS, COMMUTATIONS, AND REPRIEVES**

To the Members of the Senate and Assembly of the State of California:

In accordance with the provisions of Article V, section 8(a) of the California Constitution, I hereby submit to you a report on the cases of pardon and commutation of sentence issued by me from November 17, 2003 through December 31, 2004. No reprieves were issued during this period.

Sincerely,

ARNOLD SCHWARZENEGGER

Above report referred to the Committee on Public Safety.

MESSAGES FROM THE SENATE

Senate Chamber, February 22, 2005

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

Assembly Concurrent Resolution No. 13

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

Above resolution ordered enrolled.

Senate Chamber, February 22, 2005

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

Senate Bill No. 53

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. 53—An act to amend Section 170018 of, to add Section 170041 to, and to repeal Sections 170010, 170012, and 170014 of, the Public Utilities Code, relating to the San Diego County Regional Airport Authority.

ADJOURNMENT

At 6:45 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Wednesday, February 23, 2005, out of respect to the memory of William Sullivan, on motion of Assembly Member Nakanishi; out of respect to the memory of Command Sergeant Major Galen Hecht, on motion of Assembly Members La Suer and DeVore; out of respect to the memory of Thelma Shelley, on motion of Assembly Member Yee; out of respect to the memory of Caitlin Oto, on motion of Assembly Member Spitzer; out of respect to the memory of John Raitt, on motion of Assembly Member Pavley; out of respect to the memory of Gilford “Gil” Earl Gaston, on motion of Assembly Member Aghazarian; out of respect to the memory of Ronnie Pierce, on motion of Assembly Member Berg; out of respect to the memory of David Egwakhe, on motion of Assembly Member Evans; out of respect to the memory of Staff Sergeant Jason Hendrix, on motion of Assembly Member Laird; out of respect to the memory of Violet Janks and Sister Dorothy Stang, on motion of Assembly Member Mullin; out of respect to the memory of Robert “Buzz” Pauley, on motion of Assembly Members Nation and Evans; out of respect to the memory of Phillip Leo Bauer, on motion of Assembly Member Torrico; out of respect to the memory of David Arajuo, on motion of Assembly Member Umberg; and out of respect to the memory of Yubi Separovich, on motion of Assembly Member Leslie.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 23, 2005
THIRTIETH SESSION DAY
EIGHTIETH 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
Wednesday, February 23, 2005

The Assembly met at 7 a.m.

Hon. Betty Karnette, Assembly Member, 54th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

At 1:13 p.m., Hon. Chuck DeVore, 70th 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 Member Spitzer.

On personal business, and waiving per diem: Assembly Member Plescia.

Because of illness: Assembly Members Gordon and Oropeza.

EXPLANATIONS OF ABSENCE

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

February 16, 2005

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

Dear Mr. Speaker: I would like to be excused from check-in session on Wednesday, February 23, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Revenue and Taxation, on Monday, February 28, 2005, at 1:30 p.m., in Room 126;

Banking and Finance, on Friday, March 11, 2005, at 11 a.m., at the Pico Rivera City Hall, in Los Angeles.

AUTHOR'S AMENDMENTS**Committee on Natural Resources**

February 23, 2005

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

Assembly Bill No. 17

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

HANCOCK, Chair

ASSEMBLY BILL NO. 17—An act to add Section 516 to the Public Resources Code, relating to coastal 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 Revenue and Taxation**

February 23, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 18

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

KLEHS, Chair

ASSEMBLY BILL NO. 18—An act to amend Section 8686 of the Government Code, and to amend Sections 195.89, 17207, and 24347.5 of the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, 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 Revenue and Taxation

February 23, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 164

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

KLEHS, Chair

ASSEMBLY BILL NO. 164—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.92, 195.93, and 195.94 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, 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 Rules

February 23, 2005

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

Assembly Concurrent Resolution No. 22

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

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 22—Relative to the Charles R. Drew University of Medicine and Science.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9:30 a.m., Thursday, February 24, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

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

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

AB RN

17 0508591

18 0508569

164 0508463

ACR RN

22 0508842

Daily Total: 4**Cumulative Total: 21**

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 24, 2005
THIRTY-FIRST SESSION DAY
EIGHTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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

(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
Thursday, February 24, 2005

The Assembly met at 9:31 a.m.

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

Assistant Chief Clerk Lawrence A. Murman at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Walters moved a quorum call of 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 9:34 a.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—75:

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

PRAYER

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

O God in Heaven, Since You love mercy and justice, anyone who takes care to do mercy and justice draws near to You. Teach us to obey You in everything and always do what is right. Help us to keep our words true and sincere and not slander others or spread rumors about our neighbors. For Your mercy, O Lord, endures forever and Your law is peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member 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:

On legislative business: Assembly Members Jerome E. Horton, Laird, and Ruskin.

Because of illness: Assembly Members Gordon and Oropeza.

EXPLANATIONS OF ABSENCE

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

February 22, 2005

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Floor Session on Thursday, February 24, 2005, due to legislative business in my district. I will be returning to Sacramento on Monday, February 28, 2005, in time for Assembly Floor 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

February 18, 2005

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

Dear Speaker Núñez: This letter is to request permission to be excused from Floor Session on Thursday, February 24, 2005 due to legislative business in my district.

Thank you for your consideration of this request. Should you have any questions, please feel free to call me at 916-319-2027.

Sincerely,

JOHN LAIRD, Assembly Member
 Twenty-seventh District

February 22, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 3016
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on February 24, 2005 due to Legislative Business in my district.

If your staff should have any additional questions please feel free to contact Traci Holt at 916-319-2021.

Respectfully,

IRA RUSKIN, Assembly Member
 Twenty-first District

COMMUNICATIONS
Proposed Initiatives

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 18, 2005 transmitting copies of the title, summary, and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

Car Dealers. Buyer's Right to Cancel Purchase. Seller Disclosures.
Initiative Statute. SA 2004RF0038

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

REPORTS

The following reports were presented by the Chief Clerk:

Special Repair Projects
(Pursuant to Supplemental Report of the 2000 Budget Act
Item 5240-001-0001)

Above transmitted report, together with letter of transmittal from J. S. Woodford, Director, Department of Corrections, dated January 25, 2005, referred by the Speaker to the Committee on Public Safety.

**Audit Report on the Public Utilities Transportation Rate Fund
for the Fiscal Year 2003-04
(Pursuant to Assembly Bill 1658, Chapter 1005, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated February 15, 2005, referred by the Speaker to the Committee on Utilities and Commerce.

**Early Intervention Program Report 2003
(Pursuant to Senate Bill 1360, Chapter 415, Statutes of 1995)**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Health Services, dated February 18, 2005, referred by the Speaker to the Committee on Health.

**Environmental Health
Conditions in California's Portable Classrooms
(Pursuant to Assembly Bill 2872, Chapter 144, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Catherine Witherspoon, Executive Officer, Air Resources Board and Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated February 8, 2005, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**California Urban Waterfront Area Restoration Financing Authority
2004 Annual Report of Activities
(Pursuant to Public Resources Code, Section 32065)**

Above transmitted report, together with letter of transmittal from Michael Roth, Executive Director, California Urban Waterfront Area Restoration Financing Authority, dated February 17, 2005, referred by the Speaker to the Committee on Natural Resources.

**California Alternative Energy and
Advanced Transportation Financing Authority
2004 Annual Report of Activities
(Pursuant to Public Resources Code, Section 26017)**

Above transmitted report, together with letter of transmittal from Mark Paxson, Counsel, California Alternative Energy and Advanced Transportation Financing Authority, dated February 17, 2005, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Report on the Effectiveness of Bureau of Field Enforcement
(Pursuant to Labor Code, Section 90.5(d))**

Above transmitted report, together with letter of transmittal from Michael Pro시오, Assistant Secretary, Department of Industrial Relations, dated February 14, 2005, referred by the Speaker to the Committee on Labor and Employment.

**2004 Discrimination Complaint Report
(Pursuant to Labor Code, Section 98.75)**

Above transmitted report, together with letter of transmittal from Michael Pro시오, Assistant Secretary, Department of Industrial Relations, dated February 14, 2005, referred by the Speaker to the Committee on Labor and Employment.

**Hazard Evaluation System and Information Services (HESIS)
(Pursuant to Labor Code, Section 147.2)**

Above transmitted report, together with letter of transmittal from Michael Pro시오, Assistant Secretary, Department of Industrial Relations, dated February 14, 2005, referred by the Speaker to the Committee on Health.

Disabled Veterans Business Enterprise Report 2003–04

Above transmitted report, from David W. Brown, Chief, Fiscal and Information Services, California State Lands Commission, referred by the Speaker to the Committee on Veterans Affairs.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
9	Ed.
262	Jud.
275	Pub. S.
277	G.O. and P.E.,R. & S.S.
278	B. & P. and Jud.
304	H. & C.D.
319	Health
334	Ed.
338	Trans.
350	L. Gov.
365	Agri. and Nat. Res.
366	B. & P.
377	Rev. & Tax.
391	Ins.
392	Health
396	H. & C.D.
398	Rev. & Tax.
399	Nat. Res.
404	Pub. S.
407	G.O.
413	G.O.
414	L. & E.
415	Jud.
416	Ed. and Jud.
418	Pub. S.
419	A.,E.,S.,T. & I.M. and Jud.
420	Ed.
421	Pub. S.
425	Jud.
426	Trans.
427	Ins.
430	Ed.
434	B. & F.
435	Trans.
436	Health
437	Pub. S.
438	Pub. S.
439	Pub. S.

440	-----	Pub. S.
445	-----	Health
446	-----	B. & P.
447	-----	Jud.
448	-----	Pub. S.
449	-----	G.O.
453	-----	Trans.
455	-----	Ed.
456	-----	P.E.,R. & S.S. and Pub. S.
460	-----	Agri.
461	-----	Trans.
463	-----	L. Gov.
466	-----	W.,P. & W.
469	-----	Health
473	-----	Higher Ed.
474	-----	L. & E.
475	-----	Rev. & Tax.
476	-----	Ed.
478	-----	Pub. S.
479	-----	W.,P. & W.
480	-----	G.O.
481	-----	B. & P.
482	-----	Ed.
483	-----	Rev. & Tax.
485	-----	B. & P.
489	-----	Trans.
490	-----	Ed.
491	-----	Ed.
492	-----	E.S. & T.M.
493	-----	Health
496	-----	Jud.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
15	----- Rls.
16	----- Trans.
17	----- Rls.
18	----- Rls.
19	----- Rls.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 24, 2005

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

- Assembly Bill No. 17
- Assembly Bill No. 18
- Assembly Bill No. 164

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, February 24, 2005

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

- Assembly Concurrent Resolution No. 22

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Aghazarian and Wolk were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

RECESS

By unanimous consent, at 9:37 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Aghazarian introduced and presented a resolution to Douglass Wilhoit, Executive Director of the Greater Stockton Chamber of Commerce, Florence Low, Program Manager for the City of Stockton, and Peggy Massey, Vice President of Economic Development, Downtown Stockton Alliance, commending the City of Stockton for being named an All America City by the National Civic League.

Assembly Member Wolk introduced and presented a resolution to Dr. William Morgan Jackson for his historical contributions as a scientist and professor at the University of California, Davis.

RECONVENED

At 9:40 a.m., the Assembly reconvened.

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

ANNOUNCEMENT

Speaker pro Tempore Yee announced that Tuesday, March 1 is the deadline for Members to file Form 700, Statement of Economic Interests. Statements may be filed by 5 p.m., March 1 in the Chief Clerk's Office. Please see Pam Cavileer if additional forms are needed.

ADJOURN IN MEMORY

Assembly Members Goldberg and Ridley-Thomas were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Harry Handler, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Torrico was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard Palma, of Union City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donna Baldi, of Cherry Valley.

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 Salvatore P. Domino, Francis Beveridge Dubois, Glenn N. Harper, Tex E. Swisher, and Dorothy Ursula Winberg, of Davis; Clara Mae Williamson, of Fairfield; Marie May Aragon, of Vacaville; Wilma Bowlin, Selina De La Fuente Jimenez, and Josephine Jaime Matta, of Woodland.

MOTION TO ADJOURN

At 9:49 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Maze arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:51 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1734—Committee on Insurance (Vargas (Chair), Calderon, Frommer, Karnette, Nava, and Umberg). An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 1735—Committee on Utilities and Commerce (Levine (Chair), Baca, Cohn, De La Torre, Jerome Horton, Montanez, and Ridley-Thomas). An act to amend Section 2881 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 1736—Committee on Utilities and Commerce (Levine (Chair), Bogh (Vice Chair), Baca, Cohn, De La Torre, Jerome Horton, Montanez, and Ridley-Thomas). An act to amend Section 399.12 of the Public Utilities Code, relating to renewable energy.

RESOLUTIONS

The following resolutions were offered:

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

ASSEMBLY CONCURRENT RESOLUTION NO. 28—Coto (Coauthor: Goldberg). Relative to Read Across America Day.

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

February 24, 2005

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

Assembly Bill No. 4

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

LENO, Chair

ASSEMBLY BILL NO. 4—An act to amend Sections 13352, 23546, 23550, 23550.5, and 23566 of the Vehicle Code, relating to vehicles.

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 Judiciary

February 24, 2005

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

Assembly Bill No. 20

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

JONES, Chair

ASSEMBLY BILL NO. 20—An act to amend Section 54.3 of the Civil Code, relating to disabled persons.

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

February 24, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 179

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

EVANS, Chair

ASSEMBLY BILL NO. 179—An act to add Section 1569.39 to the Health and Safety Code, relating to residential care facilities for the elderly.

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

AUTHOR'S AMENDMENTS
Committee on Health

February 24, 2005

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

Assembly Bill No. 105

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

CHAN, Chair

ASSEMBLY BILL NO. 105—An act to add Article 2.5 (commencing with Section 110387.10) to Chapter 4 of Part 5 of Division 104 of the Health and Safety Code, relating to food labeling.

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 Elections and Redistricting

February 24, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Assembly Bill No. 158

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

UMBERG, Chair

ASSEMBLY BILL NO. 158—An act to amend Sections 2035, 2102, 2107, 2119, 2154, 2155, and 2187 of the Elections Code, relating to voter registration.

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**

February 24, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 9

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 9—An act relating to education.

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

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

February 24, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 35

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

LENO, Chair

ASSEMBLY BILL NO. 35—An act to amend Section 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.

**REPORTS OF STANDING COMMITTEES
Committee on Rules**

Date of Hearing: February 24, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 14

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Date of Hearing: February 24, 2005

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 2

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

MESSAGES FROM THE SENATE

Senate Chamber, February 24, 2005

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

Senate Concurrent Resolution No. 13
Senate Concurrent Resolution No. 14
Senate Concurrent Resolution No. 16

Senate Concurrent Resolution No. 21
Senate Concurrent Resolution No. 23

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

FIRST READING OF SENATE BILLS

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 13—Relative to Child Abuse Prevention Month.

SENATE CONCURRENT RESOLUTION NO. 14—Relative to California Space Day.

SENATE CONCURRENT RESOLUTION NO. 16—Relative to Motorcycle Awareness Month.

SENATE CONCURRENT RESOLUTION NO. 21—Relative to nonprofit and philanthropic organizations.

SENATE CONCURRENT RESOLUTION NO. 23—Relative to Lyme Disease Awareness Week.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 24, 2005

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

Assembly Concurrent Resolution No. 13

And reports the same correctly enrolled, and presented to the Secretary of State on the 24th day of February, 2005, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3:31 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 12 noon, Monday, February 28, 2005, out of respect to the memory of Harry Handler, on motion of Assembly Members Goldberg and Ridley-Thomas; out of respect to the memory of Richard Palma, on motion of Assembly Member Torrico; out of respect to the memory of Donna Baldi, on motion of Assembly Member Bogh; and out of respect to the memory of Salvatore P. Domino, Francis Beveridge Dubois, Glenn N. Harper, Tex E. Swisher, Dorothy Ursula Winberg, Clara Mae Williamson, Marie May Aragon, Wilma Bowlin, Selina De La Fuente Jimenez, and Josephine Jaime Matta, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 24, 2005**

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

AB	RN	
4	0508284	
9	0508769	
20	0501639	
35	0508835	
105	0508600	
158	0508755	
179	0508316	
	Daily Total:	7
	Cumulative Total:	28

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 28, 2005
THIRTY-SECOND SESSION DAY
EIGHTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 28, 2005

The Assembly met at 12 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Cogdill moved a quorum call of 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 12:03 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—78:

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

PRAYER

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

Lord, You are all we have and You give us all we need . . . our future is in Your hands. We praise You, Lord, because You guide us and in the still moments of our life, our heart warns us to stay on the right path. So we are thankful and glad and we feel completely secure knowing that You protect us even from the power of death. You will show us the path that leads to life; Your presence fills us with joy and brings us pleasure forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

Because of illness: Assembly Member Gordon.

Due to travel delays: Assembly Member Oropeza.

COMMUNICATIONS

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

February 24, 2005

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

RE: Appointment of Patricia A. Dixon
to Curriculum Development and Supplemental Materials Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Patricia A. Dixon to the Curriculum Development and Supplemental Materials Commission. This is a term appointment starting February 24, 2005 and the expiration date is February 24, 2009.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

PROPOSED INITIATIVES

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 23, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Public Service Contracts with Private Parties.
Initiative Constitutional Amendment. SA 2005RF0001**

Referred by the Speaker to the Committee on Labor and Employment.

**State Government Reorganization Plans. Legislative Vote Requirement.
Initiative Statute. SA 2005RF0002**

Referred by the Speaker to the Committee on Rules.

REPORTS

The following reports were presented by the Chief Clerk:

**2003–2004 Consulting Services Contract Report
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Mary-Ann Warmerdam, Director, Department of Pesticide Regulation, dated October 7, 2004, referred by the Speaker to the Committee on Business and Professions.

**2004 Status Report
on the California Case Management System (CCMS) and
the Court Accounting and Reporting System (CARS)
(Pursuant to Government Code Section 68511.8(a))**

Above transmitted report, together with letter of transmittal from Patricia M. Yerian, Director, Information Services Division, Administrative Office of the Courts, Judicial Council of California, dated January 21, 2005, referred by the Speaker to the Committee on Judiciary.

**Annual Report of Special Funds Expenditures for
Fiscal Year 2003–2004
(Pursuant to Government Code Section 77209 (i))**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated February 4, 2005, referred by the Speaker to the Committee on Judiciary.

**Taxpayer's Bill of Rights—Annual Certification
(Pursuant to Revenue and Taxation Code Section 21008)**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated February 24, 2005, referred by the Speaker to the Committee on Revenue and Taxation.

**Investment Holdings
in Companies That May Owe Compensation
to Victims of Slave or Forced Labor During World War II
(Pursuant to Senate Bill 1245, Chapter 216, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Mark Anson, Chief Investment Officer, California Public Employees' Retirement System, dated February 14, 2005, referred by the Speaker to the Committee on Judiciary.

**Annual Report on Investments Regarding
Domestic and International Corporations Operating in Northern Ireland
(Pursuant to Government Code Section 7513.5)**

Above transmitted report, together with letter of transmittal from Mark Anson, Chief Investment Officer, California Public Employees' Retirement System, dated February 14, 2005, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Unpaid Holocaust-Era Insurance Claims Status Report
July 2004 through December 2004
(Pursuant to Insurance Code Section 12967(e))**

Above transmitted report, together with letter of transmittal from John Garamendi, Insurance Commissioner, Department of Insurance, dated February 23, 2005, referred by the Speaker to the Committee on Insurance.

**Metropolitan State Hospital's
Second and Third Quarterly Reports to the Legislature on Key Measures
(Pursuant to Senate Bill 1103, Chapter 228, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated February 25, 2005, referred by the Speaker to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 28, 2005

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

- | | |
|----------------------|-----------------------|
| Assembly Bill No. 4 | Assembly Bill No. 105 |
| Assembly Bill No. 9 | Assembly Bill No. 158 |
| Assembly Bill No. 20 | Assembly Bill No. 179 |
| Assembly Bill No. 35 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, February 28, 2005

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

- Assembly Concurrent Resolution No. 14

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
254	Ed.
339	B. & F. and Jud.
341	B. & P. and Jud.
500	L. Gov.
502	B. & F.
503	Hum. S.
504	L. Gov.
505	Pub. S.
509	Trans.
510	L. & E.
511	P.E.,R. & S.S.
517	H. & C.D.
519	Jud.
520	Agri.
522	Health and B. & P.
523	Higher Ed.
525	Health
526	Ins.
529	Higher Ed.
530	Health
531	G.O.
537	L. & E.
538	P.E.,R. & S.S.
539	Ed.
540	Trans.
541	Jud.
542	Pub. S.
543	Pub. S.
544	Ins.
545	Pub. S.
547	Health
548	Rev. & Tax.
550	Pub. S.
551	L. & E.
553	L. & E.
554	Pub. S.
556	Trans.
557	Pub. S.
562	Health
563	Ed.
564	Ed.
566	B. & P.
567	E.S. & T.M.
572	Ed.
573	Jud.
574	B. & P.
575	Nat. Res. and E.S. & T.M.
577	W.,P. & W.
578	Trans.

584	-----	G.O.
586	-----	Health
588	-----	B. & P.
589	-----	Higher Ed.
591	-----	Health
592	-----	B. & P.
593	-----	B. & P. and Higher Ed.
596	-----	L. & E.
599	-----	Health
601	-----	W.,P. & W.
603	-----	Pub. S.
604	-----	L. & E.
605	-----	Ed.
607	-----	Ed.
609	-----	Jud.
610	-----	U. & C.
611	-----	G.O.
613	-----	Ins.
615	-----	Health
618	-----	Pub. S.
620	-----	Pub. S.
621	-----	Agri.
624	-----	Health
626	-----	Health
627	-----	Pub. S.
630	-----	Jud.
631	-----	Health
633	-----	Hum. S.
634	-----	Jud.
635	-----	G.O.
638	-----	L. Gov.
639	-----	E.S. & T.M.
640	-----	L. & E.
641	-----	B. & P.
642	-----	Ins.
643	-----	P.E.,R. & S.S.
648	-----	Nat. Res.
649	-----	Agri.
650	-----	U. & C.
651	-----	Health
656	-----	Ed.
658	-----	Pub. S.
659	-----	Ed.
662	-----	Jud.
663	-----	Pub. S.
665	-----	B. & P.
666	-----	Rev. & Tax.
667	-----	Jud.
668	-----	W.,P. & W.
669	-----	Health
670	-----	Ed.
675	-----	Rev. & Tax.
677	-----	Pub. S.
678	-----	L. & E.

679 ----- Trans.
 680 ----- Ed.
 681 ----- Ins.
 682 ----- Ed.
 684 ----- Pub. S.
 685 ----- Pub. S.
 686 ----- Health
 687 ----- Ins.
 688 ----- Health
 690 ----- V.A.
 692 ----- Ed.
 693 ----- Ed.
 694 ----- Trans.
 695 ----- B. & P.
 698 ----- Pub. S.

Assembly Concurrent

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

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
7 -----	L. Gov.

House

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 14 (DeVore)—Relative to the recent election in Ukraine.

Resolution read.

**Members Made Coauthors of
 Assembly Concurrent Resolution No. 14**

Assembly Member DeVore was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 14.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Arambula, Baca, Bass, Berg, Bermúdez, Calderon, Canciamilla, Chan, Chavez, Chu, Cohn, Coto, De La Torre, Dymally, Evans, Frommer, Hancock, Jerome Horton, Koretz, Laird, Levine, Lieber, Liu, Montañez, Nation, Núñez, Parra, Pavley, Richman, Ridley-Thomas, Saldaña, Salinas, Torrico, Umberg, Vargas, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member DeVore was granted unanimous consent to take up Assembly Concurrent Resolution No. 14, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 14, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 14—Relative to the recent election in Ukraine.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. 2 (Scott)—Relative to Arts Education Month.

Resolution read, and presented by Assembly Member Leno.

Members Made Coauthors of Senate Concurrent Resolution No. 2

Assembly Member Leno was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 2.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member Leno was granted unanimous consent to take up Senate Concurrent Resolution No. 2, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 2, as Amended

SENATE CONCURRENT RESOLUTION NO. 2—Relative to Arts Education Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ANNOUNCEMENT

Speaker pro Tempore Yee announced that tomorrow is the deadline for Members to file Form 700, Statement of Economic Interests. Statements are to be filed with Pam Cavileer in the Chief Clerk's Office by 5 p.m.

At 12:16 p.m., Assistant Speaker pro Tempore Sally Lieber, 22nd District, presiding

ADJOURN IN MEMORY

Assembly Members Yee, Mullin, and Huff were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Professor John Tsu, of Millbrae.

(Assembly Rule 45.5 suspended.)

At 12:17 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

ADJOURN IN MEMORY

Assembly Member Negrete McLeod was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joan Elizabeth Downing, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Chu, Núñez, and Jones were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wing Kai Fat, of Sacramento. On behalf of the Assembly, condolences were extended to Mr. Fat's family, Chee Fat, Jerry Fat, Jean Lai, Collin Fat, Weyland Fat, Corrine Fat, Lina, J.C., and Shareen who were present during today's Floor Session.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jef Raskin, of Pacifica.

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 John H. Madison, of Davis; Bettye Ruth Larson, of Dixon; Claudette Brown, Marion Rosanna Damboise, Hope Carter Floyd, Edith A. Gilmore, and Robert R. Reublin, of Fairfield; Helen M. Callison and George William Flack, of Vacaville; John A. Alksnis and Bruce Wilmer Hornbostel, of Woodland.

CAUCUS ANNOUNCEMENTS

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

ADJOURN IN HONOR

Assembly Member McCarthy was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Brayden Holthaus born to Pastor Brandon and Amanda Holthaus, of Bakersfield.

MOTION TO ADJOURN

At 12:26 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:27 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time.

ASSEMBLY BILL NO. 1737—Committee on Insurance (Vargas (Chair), Benoit, (Vice Chair), Calderon, Frommer, Karnette, Nava, and Umberg). An act to amend Sections 62.5, 4062.3, 5307.1, and 6434 of the Labor Code, relating to workers' compensation.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14—DeVore. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (b) of Section 14 of Article II thereof, by amending subdivision (l) of Section 8 of Article III thereof, by amending subdivision (b) of Section 18 of Article IV thereof, by amending subdivision (b) of Section 5 of, and by amending subdivision (f) of Section 14 of, Article V thereof, by amending subdivision (a) of Section 10 of Article VII thereof, by amending subdivision (j) of Section 3 of, by amending subdivision (g) of Section 11 of, by amending Sections 17, 18, and 19 of, by amending subdivision (h) of Section 28 of, and by adding Section 17.5 to, Article XIII thereof, by amending the ninth paragraph of subdivision (d) of Section 22 of Article XX thereof, and by amending the heading of, and by amending Section 1 of, Article XXI thereof, relating to taxation.

AUTHOR'S AMENDMENTS

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

February 28, 2005

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

Assembly Bill No. 42

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

CHAVEZ, Chair

ASSEMBLY BILL NO. 42—An act to repeal Section 12174 of the Government Code, relating to the California History Center, 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 Revenue and Taxation

February 28, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 80

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

KLEHS, Chair

ASSEMBLY BILL NO. 80—An act to add Section 6377 to 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.

REPORTS OF STANDING COMMITTEES**Committee on Public Safety**

Date of Hearing: February 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 88

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

LENO, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: February 22, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 99

Assembly Bill No. 104

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

JONES, Chair

Above bills ordered to second reading.

Date of Hearing: February 22, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 69

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.

MESSAGES FROM THE SENATE

Senate Chamber, February 28, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 29

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

INTRODUCTION OF GUESTS

On behalf of Assembly Member Karnette, of the 54th Assembly District, Speaker pro Tempore Yee introduced National Conference of State Legislatures Executive committee members and staff, John Hurson, President, Leticia Van de Putte, Vice President, William Pound, Executive Director, Carl Kurtz, Director of State Services, and Sheri Steisel, Federal Affairs Counsel.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, March 1, 2005, out of respect to the memory of Professor John Tsu, on motion of Assembly Members Yee, Mullin, and Huff; out of respect to the memory of Joan Elizabeth Downing, on motion of Assembly Member Negrete McLeod; out of respect to the memory of Wing Kai Fat, on motion of Assembly Members Chu, Núñez, and Jones; out of respect to the memory of Jef Raskin, on motion of Assembly Member Mullin; out of respect to the memory of John H. Madison, Bettye Ruth Larson, Claudette Brown, Marion Rosanna Damboise, Hope Carter Floyd, Edith A. Gilmore, Robert R. Reublin, Helen M. Callison, George William Flack, John A. Alksnis, and Bruce Wilmer Hornbostel, on motion of Assembly Member Wolk; and in honor of the birth of Brayden Holthaus, on motion of Assembly Member McCarthy.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 28, 2005**

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

AB RN

42 0508930

80 0508566

Daily Total: 2

Cumulative Total: 30

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 1, 2005

THIRTY-THIRD SESSION DAY

EIGHTY-SIXTH 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
Tuesday, March 1, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—77:

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

Quorum present.

At 12:09 p.m., Hon. Patty Berg, 1st 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 Koretz and Walters.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

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

March 1, 2005

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

Dear Speaker Núñez: I respectfully ask permission to be excused from check in session on March 1, 2005 due to legislative business. If you have any questions or concerns please contact Leticia Klein in my office at 916-319-2042.

Sincerely,

PAUL KORETZ, Assembly Member
Forty-second District

January 31, 2005

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

Dear Speaker Núñez: I respectfully request to be excused from session on March 1, 2005 due to legislative business in the district.

Thank you for your consideration of this request. If you need any additional information, please contact me at (916) 319-2073.

Sincerely,

MIMI WALTERS, Assembly Member
Seventy-third District

COMMUNICATIONS

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

February 28, 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 Tom Harman on the Assembly Judiciary Committee for the Tuesday, March 1 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 1, 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 removed Assemblymember Mark Ridley-Thomas from the Assembly Arts, Entertainment, Sports, Tourism, and Internet Media Committee, reducing the size of the committee to 10 members.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 1, 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 Jerome Horton to Assembly Banking and Finance Committee, increasing the size of the committee to 9 members.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 1, 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 Mark Ridley-Thomas to the Assembly Health Committee, increasing the size of the committee to 14 members.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 1, 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 Patty Berg to the Assembly Water, Parks and Wildlife Committee, increasing the size of the committee to 14 members.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 1, 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 created the following Assembly Select Committees for the 2005–06 Regular Session and appointed the respective Chairs:

Select Committee on Adult Education with Assemblymember Carol Liu as Chair.

Select Committee on Aerospace with Assemblymember Mike Gordon as Chair.

Select Committee on Air and Water Quality with Assemblymember Fran Pavley as Chair.

Select Committee on the Alameda Corridor East with Assemblymember Gloria Negrete McLeod as Chair.

Select Committee on Bioethics, Medicine and Technology with Assemblymember Lori Saldaña as Chair.

Select Committee on Biotechnology with Assemblymember Gene Mullin as Chair.

Select Committee on the California Horseracing Industry with Assemblymember Jerome Horton as Chair.

Select Committee on California Latin American Affairs with Assemblymember Juan Vargas as Chair.

Select Committee on Children’s Physical and Mental Well Being in Diverse California Communities with Assemblymember Leland Yee as Chair.

Select Committee on Critical Issues with Assemblymember Mervyn Dymally as Chair.

Select Committee on Development of a 10th University of California, Merced Campus with Assemblymember Barbara Matthews as Chair.

Select Committee on Environmental Justice with Assemblymember Cindy Montañez as Chair.

Select Committee on Growth and Infrastructure with Assemblymember Joe Canciamilla as Chair.

Select Committee on Gun Violence with Assemblymember Paul Koretz as Chair.

Select Committee on Hate Crimes with Assemblymember Judy Chu as Chair.

Select Committee on Mobilehomes with Assemblymember Sally Lieber as Chair.

Select Committee on Nanotechnology and Emerging Technologies with Assemblymember Ira Ruskin as Chair.

Select Committee on Perchlorate Contamination with Assemblymember Joe Baca as Chair.

Select Committee on Ports with Assemblymember Betty Karnette as Chair.

Select Committee on Prison Construction and Operations with Assemblymember Rudy Bermúdez as Chair.

Select Committee on Runaway Production with Assemblymember Dario Frommer as Chair.

Select Committee on Rural Economic Development with Assemblymember Simón Salinas as Chair.

Select Committee on Sustainability with Assemblymember Patty Berg as Chair.

Select Committee on Title IX with Assemblymember Jenny Oropeza as Chair.

Select Committee on Urban Education in California with Assemblymember Joe Coto as Chair.

Select Committee on Water, Infrastructure and the Economy with Assemblymember Nicole Parra as Chair.

Select Committee on Wine with Assemblymember Noreen Evans as Chair.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

PROPOSED INITIATIVES

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 25, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

District Boundary Changes.

Initiative Constitutional Amendment. SA 2005RF0003

Referred by the Speaker to the Committee on Elections and Redistricting.

Changing District Boundaries.

Initiative Constitutional Amendment. SA 2005RF0004

Referred by the Speaker to the Committee on Elections and Redistricting.

Reapportioning District Boundaries.

Initiative Constitutional Amendment. SA 2005RF0005

Referred by the Speaker to the Committee on Elections and Redistricting.

Reapportionment of Districts.

Initiative Constitutional Amendment. SA 2005RF0006

Referred by the Speaker to the Committee on Elections and Redistricting.

REPORTS

The following report was presented by the Chief Clerk:

San Francisco Toll Bridge Report for Fiscal Year 2004–2005 (Pursuant to Senate Bill 916, Chapter 715, Statutes of 2003)

Above transmitted report, together with letter of transmittal from Steve Heminger, Executive Director, Bay Area Toll Authority, dated February 24, 2005, referred by the Speaker to the Committee on Transportation.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Health, to convene jointly with Aging and Long-Term Care, Senate Committee on Health, and Senate Subcommittee on Aging and Long-Term Care, on Wednesday, March 16, 2005, in Room 4203.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 1, 2005

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

Assembly Bill No. 42

Assembly Bill No. 80

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 29—Leslie. Relative to Access Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 30—McCarthy. Relative to the civic mission of schools.

ASSEMBLY CONCURRENT RESOLUTION NO. 31—Coto. Relative to Financial Empowerment Month.

HOUSE RESOLUTION NO. 9—Frommer (Coauthors: Benoit, Bermudez, Daucher, Dymally, Shirley Horton, Huff, Jones, Koretz, Maze, Mullin, Niello, Pavley, and Salinas). Relative to Colorectal Cancer Awareness Month.

AUTHOR’S AMENDMENTS

Committee on Revenue and Taxation

March 1, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 6

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

KLEHS, Chair

ASSEMBLY BILL NO. 6—An act to amend Sections 17041 and 17062 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; 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

March 1, 2005

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

Assembly Bill No. 193

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

WOLK, Chair

ASSEMBLY BILL NO. 193—An act relating to fish and game.

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 Revenue and Taxation

Date of Hearing: February 28, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:
 Senate Bill No. 50

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

KLEHS, Chair

Above bill re-referred to the Committee on Appropriations.

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

Date of Hearing: March 1, 2005

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

Assembly Bill No. 42

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

CHAVEZ, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: February 28, 2005

Mr. Speaker: Your Committee on Natural Resources reports:
 Assembly Bill No. 32

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

HANCOCK, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: February 28, 2005

Mr. Speaker: Your Committee on Natural Resources reports:
 Assembly Bill No. 17

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

HANCOCK, Chair

Above bill re-referred to the Committee on Governmental Organization.

Committee on Judiciary

Date of Hearing: March 1, 2005

Mr. Speaker: Your Committee on Judiciary reports:
 Assembly Bill No. 68
 Assembly Bill No. 195

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

JONES, Chair

Above bills re-referred to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 88—An act to amend Section 12280 of the Penal Code, relating to assault weapons.

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

ASSEMBLY BILL NO. 99—An act to amend Sections 6345 and 6361 of the Family Code, relating to protective orders.

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

ASSEMBLY BILL NO. 104—An act to add Section 6347 to the Family Code, relating to protective orders.

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

ASSEMBLY BILL NO. 69—An act to amend Sections 5301, 5303, and 5401 of the Probate Code, relating to multiple-party accounts.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 2, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 1, 2005**

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

AB	RN	
6	0508559	
69	0508873	
88	0508674	
99	0508875	
104	0508871	
193	0508939	
Daily Total:		6
Cumulative Total:		36

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 2, 2005
THIRTY-FOURTH SESSION DAY
EIGHTY-SEVENTH 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
Wednesday, March 2, 2005

The Assembly met at 7 a.m.

Hon. Bill Maze, Assembly Member, 34th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—75:

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

Quorum present.

At 1:05 p.m., Hon. Ira Ruskin, 21st 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 Chavez, Daucher, Lieber, and Spitzer.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

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

February 8, 2005

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

Dear Speaker Núñez: I respectfully request permission to be excused from check-in session on Wednesday, March 2, 2005. The purpose is to attend a legislative event in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

February 24, 2005

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

Dear Speaker Núñez: I respectfully request that I be excused from check-in session on Wednesday, March 2, 2005 in order that I can return to my District on legislative business on Tuesday afternoon, March 1 and returning to Sacramento before session on Thursday, March 3.

Please contact me at 319-2072 with any questions. Thank you.

Sincerely,

LYNN DAUCHER, Assembly Member
Seventy-second District

March 1, 2005

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

Dear Speaker Núñez: I would like to be excused from check-in session on March 2, 2005 due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Cory Jasperson, at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

February 22, 2005

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

Dear Mr. Speaker: I would like to be excused from check-in session on Wednesday, March 2, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

SPECIAL COMMITTEE MEETINGS

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

Judiciary to convene jointly with the Senate Committee on Judiciary, on Thursday, March 17, 2005, upon adjournment of Floor Session, in Room 3191.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 2, 2005

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

Assembly Bill No. 6
Assembly Bill No. 88
Assembly Bill No. 193

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 2, 2005

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

Assembly Bill No. 69
Assembly Bill No. 99
Assembly Bill No. 104

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1738—Committee on Local Government (Salinas Chair), Emmerson (Vice Chair), De La Torre, Houston, Lieber, Nation, and Wolk). An act to amend Section 27395 of the Government Code, relating to local government.

ASSEMBLY BILL NO. 1739—Committee on Judiciary (Jones Chair), Evans, Laird, Levine, Lieber, and Montanez). An act to add Section 68511.4 to the Government Code, relating to access to legal services.

ASSEMBLY BILL NO. 1740—Committee on Judiciary (Jones Chair), Evans, Laird, Levine, Lieber, and Montanez). An act to add Section 410.44 to the Code of Civil Procedure, relating to civil procedure.

ASSEMBLY BILL NO. 1741—Committee on Judiciary (Jones Chair), Evans, Laird, Levine, Lieber, and Montanez). An act relating to jury waivers.

ASSEMBLY BILL NO. 1742—Committee on Judiciary (Jones (Chair), Evans, Laird, Levine, Lieber, and Montanez). An act to amend Sections 116.330, 116.340, 116.780, 396b, and 998 of, and to repeal and add Section 116.725 of, the Code of Civil Procedure, to amend Sections 811.9, 905, 910.4, and 69926.5 of, and to add Section 905.7 to, the Government Code, and to amend Section 213.5 of the Welfare and Institutions Code, relating to courts.

ASSEMBLY BILL NO. 1743—Committee on Judiciary (Jones (Chair), Evans, Laird, Levine, Lieber, and Montanez). An act to amend Section 17552 of the Family Code, relating to child support.

ASSEMBLY BILL NO. 1744—Committee on Health (Chan (Chair), Aghazarian (Vice Chair), Berg, Cohn, Frommer, Gordon, Jones, Montanez, Ridley-Thomas, and Strickland). An act to amend Section 1345 of the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 1745—Committee on Health (Chan (Chair), Aghazarian (Vice Chair), Berg, Cohn, Frommer, Gordon, Jones, Montanez, Negrete McLeod, Ridley-Thomas, and Strickland). An act to amend Section 14100.5 of the Welfare and Institutions Code, relating to Medi-Cal.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 32—Arambula. Relative to West Nile Virus and Mosquito and Vector Control Awareness Week.

AUTHOR'S AMENDMENTS

Committee on Higher Education

March 2, 2005

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

Assembly Bill No. 23

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

LIU, Chair

ASSEMBLY BILL NO. 23—An act to amend Section 66010.4 of, to amend and repeal Sections 84750 and 84751 of, and to add Article 1 (commencing with Section 84700) to Chapter 5 of Part 50 of, the Education Code, relating to community college finance.

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

AUTHOR'S AMENDMENTS

Committee on Business and Professions

March 2, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 180

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

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 180—An act to amend Sections 6738 and 8729 of the Business and Professions Code, and to amend Sections 16101, 16956, and 16959 of the Corporations Code, relating to limited liability partnerships.

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 Revenue and Taxation

Date of Hearing: February 28, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 18

Assembly Bill No. 190

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

KLEHS, Chair

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: March 1, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 161

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

LENO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 1, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 182

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.

LENO, Chair

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 99 and 104, ordered to third reading;

Assembly Bill No. 69, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 42—An act to amend Section 12174 of the Government Code, relating to museums, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media read and adopted; bill ordered reprinted and to be returned to the second reading file.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until 9:30 a.m., Thursday, March 3, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 2, 2005**

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

AB	RN	
23	0508771	
42	0509006	
42	0509004	
42	0509005	
180	0508960	
Daily Total:		3
Cumulative Total:		39

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 3, 2005
THIRTY-FIFTH SESSION DAY
EIGHTY-EIGHTH 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
Thursday, March 3, 2005

The Assembly met at 9:30 a.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 Maze moved a quorum call of the Assembly.

Motion carried.

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

Quorum Present

At 9:34 a.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—78:

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

PRAYER

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

Lord, For each of us, You have at some point in our lives, answered us when we have asked You for help and guidance. So we pray to You this morning that You reveal Your wonderful love and save us. For at Your side, Lord, we are safe from our enemies. Everything above and below, visible and invisible got started in You and finds its purpose in You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Liu.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

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

February 16, 2005

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Session on Thursday, March 3 due to legislative business in the District Office.

Please contact my assistant, Robin Robinson at x2470 if you have any questions.

Thank you for your favorable consideration of this request.

Sincerely,

CAROL LIU, Assembly Member
Forty-fourth District

COMMUNICATIONS

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

March 2, 2005

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

RE: Appointment of Lloyd E. Levine
to Electricity Oversight Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Lloyd E. Levine to the Electricity Oversight Board. This is a term appointment starting March 2, 2005 and the expiration date is January 1, 2006.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 3, 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 Joe Canciamilla to replace Assemblymember Patty Berg on the Assembly Agriculture Committee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

2004 Annual Report—Waste and Used Tires
(Pursuant to Senate Bill 876, Chapter 838, Statutes 2000)

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated February 25, 2005, referred by the Speaker to the Committee on Natural Resources.

December 2004 Replacement of Underground Storage Tanks Program
Annual Report
(Pursuant to Health and Safety Code, Chapter 6.76, Section 25299.112)

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated February 28, 2005, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Annual Report of the California Educational Facilities Authority
(Pursuant to Education Code Section 94155)**

Above transmitted report, together with letter of transmittal from Gregory Rogers, Deputy Executive Director, California Educational Facilities Authority, dated March 1, 2005, referred by the Speaker to the Committee on Higher Education.

**Riverside County, Community Health Agency
2003–04 Emergency Medical Services Fund (EMS) Report**

Above transmitted report, together with letter of transmittal from Bill Trop, Accountant 11, Riverside County Community Health Agency, dated February 25, 2005, referred by the Speaker to the Committee on Health.

**2002–2003 Cost Report and Project Delivery Report
(Pursuant to Government Code Sections 14524.16 and 14525.5)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated February 28, 2005, referred by the Speaker to the Committee on Transportation.

**Toll Bridge Seismic Safety Retrofit Report—
Fourth Quarter—2004 Fiscal Year Report Ending December 31, 2004
(Pursuant to Streets and Highway Code Section 188.5(g))**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated February 28, 2005, referred by the Speaker to the Committee on Transportation.

**Seismic Safety Retrofit Program Report—
Fourth Quarter—2004 Fiscal Year Report Ending December 31, 2004
(Phase 1, Phase 2, and Local Bridge Retrofit Programs)
(Pursuant to Streets and Highway Code Section 188.5(h))**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated February 28, 2005, referred by the Speaker to the Committee on Transportation.

**Lawyer Assistance Program (LAP) Report
(Pursuant to Business and Professions Code Section 6238)**

Above transmitted report, together with letter of transmittal from Anthony C. Williams, Director, Office of Governmental Affairs, State Bar of California, dated March 1, 2005, referred by the Speaker to the Committee on Judiciary.

**Equal Access Fund Report
(Pursuant to Budget Act 2001)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council Of California, dated February 25, 2005, referred by the Speaker to the Committee on Judiciary.

**Model Self-Help Pilot Program
(Pursuant to Budget Act 2001)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council Of California, dated February 25, 2005, referred by the Speaker to the Committee on Judiciary.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 3, 2005

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

Assembly Bill No. 23

Assembly Bill No. 180

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 3, 2005

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

Assembly Bill No. 42

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 156 be re-referred from the Committee on Budget to the Committee on Appropriations.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
204 -----	Ins. and Jud.
264 -----	Ed.
276 -----	P.E.,R. & S.S. and V.A.
288 -----	Health and B. & P.
347 -----	E. & R. and Pub. S.
357 -----	Rev. & Tax. and V.A.
394 -----	H. & C.D. and Jud.
405 -----	E.S. & T.M. and Ed.
423 -----	Jud. and Pub. S.
432 -----	E. & R.
433 -----	Health and B. & P.
441 -----	Rev. & Tax.
443 -----	Ed.
444 -----	Ed.
451 -----	Rev. & Tax.
452 -----	Trans.
470 -----	Health
484 -----	Aging & L.T.C. and Pub. S.
487 -----	A.,E.,S.,T. & I.M.
488 -----	B. & P.
497 -----	Health and B. & P.
506 -----	Ed.
508 -----	Trans.

513	-----	E. & R.
516	-----	B. & P. and Health
527	-----	Ins.
549	-----	L. Gov. and H. & C.D.
555	-----	Trans.
569	-----	Ed.
582	-----	E. & R.
583	-----	E. & R. and Pub. S.
585	-----	B. & P.
597	-----	E.S. & T.M.
647	-----	W.,P. & W.
700	-----	Higher Ed.
704	-----	B. & P.
705	-----	P.E.,R. & S.S.
710	-----	L. & E.
711	-----	Health
713	-----	Trans.
716	-----	Trans.
717	-----	Health
719	-----	P.E.,R. & S.S.
723	-----	Ed.
726	-----	Ed.
727	-----	Nat. Res.
728	-----	U. & C.
729	-----	Ins.
735	-----	Rev. & Tax.
740	-----	Ed.
741	-----	Ed.
743	-----	Pub. S.
744	-----	G.O.
745	-----	U. & C. and Jud.
747	-----	P.E.,R. & S.S.
749	-----	W.,P. & W.
751	-----	Ed.
752	-----	Nat. Res.
754	-----	Pub. S.
755	-----	L. & E.
758	-----	Jud.
759	-----	Health
760	-----	Pub. S.
761	-----	Health
764	-----	G.O.
765	-----	Trans.
767	-----	G.O.
775	-----	B. & P.
778	-----	Ins.
779	-----	Health
780	-----	G.O.
783	-----	E. & R.
784	-----	Pub. S.
785	-----	Trans.
787	-----	Pub. S.
788	-----	Hum. S.
789	-----	Pub. S.

794	-----	G.O.
795	-----	Pub. S.
796	-----	L. Gov.
797	-----	W.,P. & W.
801	-----	G.O.
805	-----	L. & E.
809	-----	Pub. S.
810	-----	Rev. & Tax.
813	-----	Health
818	-----	L. Gov.
819	-----	Rev. & Tax.
821	-----	E. & R.
825	-----	Nat. Res.
831	-----	Ed.
832	-----	Ed.
833	-----	Ed.
834	-----	G.O.
835	-----	Ed.
837	-----	Ins. and Health
838	-----	Rev. & Tax.
839	-----	G.O.
840	-----	Higher Ed.
844	-----	P.E.,R. & S.S.
845	-----	Rev. & Tax.
849	-----	W.,P. & W.
850	-----	Trans.
851	-----	Pub. S.
855	-----	Hum. S.
856	-----	Nat. Res.
858	-----	Health
861	-----	B. & P.
863	-----	Hum. S.
864	-----	A.,E.,S.,T. & I.M.
866	-----	E. & R.
867	-----	E. & R.
868	-----	E. & R.
870	-----	Higher Ed.
871	-----	Ins.
872	-----	Ed.
873	-----	Ins.
874	-----	W.,P. & W.
875	-----	L. & E.
877	-----	Trans.
881	-----	Ins.
883	-----	Ed.
887	-----	Nat. Res.
889	-----	B. & P.
891	-----	E. & R.
892	-----	G.O.
893	-----	Pub. S.
894	-----	B. & P.
897	-----	Ed.
898	-----	Trans.
899	-----	Hum. S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
23 -----	Trans.
24 -----	Jud.
25 -----	Rls.
26 -----	Rls.
27 -----	Rls.
28 -----	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
8 -----	E.S. & T.M.
9 -----	Trans.

House

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

Pursuant to the Assembly Rules, the following Governor’s Reorganization Plan No. 1 was referred to committee:

Governor’s Reorganization

<i>Plan No.</i>	<i>Committee</i>
1 -----	Pub. S.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

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

Assembly Bill No. 42, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 18—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.95, 195.96, and 195.97 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 190—An act to add and repeal Article 13.5 (commencing with Section 18846) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

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

ASSEMBLY BILL NO. 182—An act to amend Section 1529 of the Penal Code, relating to search warrants.

Bill read second time, and ordered to Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 3, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 182

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

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

ASSEMBLY BILL NO. 99 (Cohn)—An act to amend Sections 6345 and 6361 of the Family Code, relating to protective orders.

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

AYES—70

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

NOES—5

DeVore	Leslie	Mountjoy
La Suer	Maze	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 104 (Cohn)—An act to add Section 6347 to the Family Code, relating to protective orders.

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

AYES—65

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

NOES—11

Emmerson	Leslie	Nakanishi	Strickland
Harman	Maze	Niello	Tran
Haynes	Mountjoy	Richman	

Bill ordered transmitted to the Senate.

ADJOURN IN MEMORY

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joyce Margaret Johnson, of Anaheim.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Ruskin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Guida, of Redwood City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eugene C. Ravaglioli, of Pacifica.

Assembly Member Umberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roger Johnson, of Laguna Beach.

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 Sulema Villegas, of Orange Cove.

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kent Behringer, of Oak Park.

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 Catherine Anne Cademarti, of Fair Oaks.

ADJOURN IN HONOR

Assembly Member McCarthy was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Jacob Kimsey born to Tami Mlcoch and Brian Kimsey, of Bakersfield.

RECESS

By unanimous consent, at 9:52 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member La Malfa introduced Helen Garcia Jenkins who is a State Capitol elevator operator and extended birthday greetings to her.

RECONVENED

At 9:53 a.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 (shown in sequential order):

Assembly Bill No. 99: Blakeslee, Canciamilla, Jerome Horton, La Malfa, Montañez, and Niello—Aye; La Suer—No.

Assembly Bill No. 104: La Malfa and Montañez—Aye.

MOTION TO ADJOURN

At 9:53 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Bogh and Laird arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Motion carried.

CAUCUS ANNOUNCEMENTS

Assembly Member Frommer announced that the Democratic Caucus would meet today, upon adjournment of Floor session, in the Assembly Lounge.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:58 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1746—Committee on Local Government (Salinas (Chair), Emmerson (Vice Chair), De La Torre, Houston, Lieber, Nation, and Wolk). An act to amend Sections 56157, 56663, and 57051 of the Government Code, relating to local government reorganization.

ASSEMBLY BILL NO. 1747—Committee on Water, Parks and Wildlife (Wolk (Chair), Villines (Vice Chair), Baca, Daucher, Emmerson, Matthews, Parra, Pavley, and Sharon Runner). An act to amend Sections 230, 461, 462, 463, 465, 1009, 1058.5, 1257, 10013, 10615, 10825, 10841, 11951, 11952, 11962, 11964, 11981, 11982, 11983, 12921.3, 12929.22, 12947, 13167.5, 13415, 13515, 13523, 13523.1, 13529.2, 13530, 13627, 13952, 14957, 31035, 31144.71, 31145, 31630.5, 31631, 31633, 55335, 71610.5, and 81420 of, and to amend the heading of Chapter 7 (commencing with Section 13500) of Division 7 of, the Water Code, relating to water.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 33—Lieber, Sharon Runner, and Liu (Coauthors: Chu, Garcia, and Shirley Horton) (Coauthors: Senators Kehoe, Kuehl, and Morrow). Relative to the Joint Committee on Human Trafficking in California.

ASSEMBLY CONCURRENT RESOLUTION NO. 34—Liu. Relative to public higher education facilities.

**AUTHOR'S AMENDMENTS
Committee on Transportation**

March 3, 2005

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

Assembly Bill No. 188

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

OROPEZA, Chair

ASSEMBLY BILL NO. 188—An act to amend Section 21115.5 of the Vehicle Code, relating to vehicles.

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

AUTHOR’S AMENDMENTS
Committee on Health

March 3, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 109

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

CHAN, Chair

ASSEMBLY BILL NO. 109—An act to amend Sections 130140 and 130150 of, and to add Section 130151 to, the Health and Safety Code, relating to child 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.

REPORTS OF STANDING COMMITTEES
Committee on Governmental Organization

Date of Hearing: March 2, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:
Assembly Bill No. 52
Assembly Bill No. 111

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

JEROME HORTON, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Rules

Date of Hearing: March 3, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 22

With the recommendation: That the resolution be re-referred to the Committee on Higher Education.

MONTAÑEZ, Chair

Above resolution re-referred to the Committee on Higher Education.

MESSAGES FROM THE SENATE

Senate Chamber, March 3, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 2

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

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 12 p.m., Monday, March 7, 2005, out of respect to the memory of Joyce Margaret Johnson, on motion of Assembly Member Karnette; out of respect to the memory of Frank Guida, on motion of Assembly Member Ruskin; out of respect to the memory of Eugene C. Ravaglioli, on motion of Assembly Member Mullin; out of respect to the memory of Roger Johnson, on motion of Assembly Member Umberg; out of respect to the memory of Sulema Villegas, on motion of Assembly Member Villines; out of respect to the memory of Kent Behringer, on motion of Assembly Member Pavley; out of respect to the memory of Catherine Anne Cademarti, on motion of Assembly Member Leslie; and in honor of the birth of Jacob Kimsey, on motion of Assembly Member McCarthy.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 3, 2005**

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

AB	RN	
18	0508966	
109	0508913	
188	0508935	
190	0509012	
Daily Total:		4
Cumulative Total:		43

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 7, 2005

THIRTY-SIXTH SESSION DAY

NINETY-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
Monday, March 7, 2005

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

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Ruskin moved a quorum call of the Assembly.
Motion carried.
At 12:02 p.m., Speaker pro Tempore Yee placed a quorum call upon
the Assembly.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:03 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—74:

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

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Member John Benoit:

Father, As we begin this week we place ourselves in Your hands. Whatever may come our way during the course of these days let it be the result of diligent work, serious concern, and abiding charity. Then be it painful or be it joyful, it will be Your will and our will, and consequently, it will bring its peace and harmony. With this, we ask Your blessing on this House, all its Members and our work here together in Your name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Nation.

On personal business, and waiving per diem: Assembly Member Mountjoy.

Because of illness: Assembly Members Gordon, Jerome E. Horton, and Oropeza.

Due to travel delays: Assembly Member Chavez.

EXPLANATIONS OF ABSENCE

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

March 1, 2005

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

Dear Mr. Speaker: This letter is to request permission to travel to Washington, D.C. from March 6, 2005 through March 8, 2005 to attend several legislative meetings scheduled regarding healthcare. I am also requesting to be excused from Legislative Floor Session on Monday, March 7, 2005 and check in session Tuesday, March 8, 2005.

Thank you for your consideration.

Sincerely,

JOE NATION, Assembly Member
Sixth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 7, 2005

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

Assembly Bill No. 18
Assembly Bill No. 109

Assembly Bill No. 188
Assembly Bill No. 190

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

MESSAGES FROM THE GOVERNOR

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

Governor's Office, Sacramento
March 4, 2005

To the Assembly of the State of California:

I have received notice that Secretary of State Kevin Shelley has tendered a written resignation from office effective March 4, 2005. Under applicable law, this resignation creates an immediate vacancy in the office of the Secretary of State on the date stated.

Having received such notice, and pursuant to the powers vested in me by Article V of the California Constitution and Section 1775 of the California Government Code, I hereby nominate the following person to fill the vacancy for the balance of the unexpired term:

Bruce Alexander McPherson
Santa Cruz, California 95060

Former Member of the California State Senate

Pursuant to the Constitution and laws of this state, said nomination shall be effective on the date of the incumbent's resignation. As stated in Section 1775 of the Government Code, the chief deputy to the Secretary of State shall discharge the duties of that office prior to the time the vacancy is filled pursuant to Article V of the California Constitution.

Sincerely,

ARNOLD SCHWARZENEGGER

March 4, 2005

Received from the Governor's Office, on March 4, 2005, at 5:04 p.m., a letter nominating a name for confirmation on Governor's Appointments.

E. DOTSON WILSON
Chief Clerk of the Assembly

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

Bill No.

Committee

327	-----	B. & P.
343	-----	Rev. & Tax.
372	-----	Trans. and L. Gov.
375	-----	Nat. Res.
406	-----	Jud.
429	-----	Jud.

454	-----	G.O. and Pub. S.
654	-----	Jud. and Pub. S.
655	-----	A.,E.,S.,T., & I.M.
657	-----	Health and B. & P.
689	-----	Ed.
697	-----	Trans.
734	-----	W.,P. & W.
750	-----	Jud.
804	-----	Ins. and P.E.,R. & S.S.
846	-----	Trans.
847	-----	Aging & L.T.C. and Health
852	-----	Trans.
880	-----	Hum. S.
896	-----	B. & P. and Health
902	-----	P.E.,R. & S.S.
903	-----	U. & C.
904	-----	L. & E.
906	-----	Rev. & Tax.
909	-----	Health
911	-----	Rev. & Tax.
912	-----	Rev. & Tax.
915	-----	Jud.
918	-----	Higher Ed.
922	-----	V.A.
926	-----	Health
927	-----	Hum. S.
928	-----	Jud.
929	-----	Health
933	-----	Higher Ed.
935	-----	Ins.
937	-----	G.O.
940	-----	Pub. S.
941	-----	Jud.
942	-----	Nat. Res.
944	-----	Pub. S.
945	-----	B. & P.
946	-----	Pub. S.
947	-----	Higher Ed.
949	-----	Ed.
950	-----	Ed.
951	-----	Ed.
952	-----	Ed.
954	-----	H. & C.D.
956	-----	Ed.
957	-----	J., E.D. & E. and Rev. & Tax.
958	-----	Higher Ed.
961	-----	Higher Ed.
963	-----	Trans.
966	-----	Health
969	-----	Trans.
971	-----	Pub. S.
972	-----	A.,E.,S.,T., & I.M. and Jud.
976	-----	Health
977	-----	Health

981	-----	L. Gov.
982	-----	Higher Ed.
983	-----	H. & C.D.
985	-----	L. & E.
987	-----	Jud.
988	-----	Pub. S.
991	-----	L. Gov.
992	-----	Pub. S.
994	-----	Pub. S.
995	-----	Rev. & Tax.
999	-----	Pub. S.
1001	-----	Trans.
1003	-----	W.,P. & W.
1004	-----	J., E.D. & E.
1005	-----	G.O.
1008	-----	P.E.,R. & S.S.
1010	-----	Trans.
1015	-----	Pub. S.
1019	-----	P.E.,R. & S.S.
1022	-----	Pub. S.
1023	-----	Pub. S.
1024	-----	B. & P.
1025	-----	Trans.
1028	-----	Rev. & Tax.
1029	-----	Rev. & Tax. and G.O.
1032	-----	Hum. S.
1033	-----	L. Gov.
1034	-----	Pub. S.
1038	-----	Jud.
1041	-----	A.,E.,S.,T., & I.M.
1042	-----	Jud.
1043	-----	Ins.
1046	-----	Health
1047	-----	Health and Appr.
1048	-----	Trans.
1049	-----	Nat. Res.
1050	-----	Health

House

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

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint Legislative Audit Committee, on Wednesday, March 30, 2005, at 9 a.m., in Room 444;

Utilities and Commerce, on Tuesday, March 29, 2005, at 2 p.m.

REQUEST FOR PHOTOGRAPHER

Assembly Members Chu and Levine were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Frommer was granted unanimous consent that the following Legislative Counsel Opinion be printed in the Journal:

Office of Legislative Counsel
State Capitol, Suite 3021
Sacramento, California
March 3, 2005

The Honorable E. Dotson Wilson
3196 State Capitol

CONSTITUTIONAL OFFICE: VACANCY AND APPOINTMENT—#0508852

Dear Mr. Wilson: You have asked whether, if a constitutional officer designated in Section 5 of Article V of the California Constitution submits to the Governor a letter of resignation from that office, specifying that the resignation is to be effective on a date a short time subsequent to the date of the letter, that office is vacant as of the date of the letter or, instead, as of the subsequent date mentioned in the letter. You have further asked whether, if the constitutional office is vacant as of the subsequent date mentioned in the letter and, prior to that date, the Governor delivers to the Senate and Assembly a writing that nominates a person to take office to fill the vacancy, the 90-day period specified by subdivision (b) of Section 5 of Article V of the California Constitution commences as of the date of that delivery.

Section 5 of Article V of the California Constitution provides as follows:

“SEC. 5. (a) Unless the law otherwise provides, the Governor may fill a vacancy in office by appointment until a successor qualifies.

“(b) Whenever there is a vacancy in the office of the Superintendent of Public Instruction, the Lieutenant Governor, Secretary of State, Controller, Treasurer, or Attorney General, or on the State Board of Equalization, the Governor shall nominate a person to fill the vacancy who shall take office upon confirmation by a majority of the membership of the Senate and a majority of the membership of the Assembly and who shall hold office for the balance of the unexpired term. In the event the nominee is neither confirmed nor refused confirmation by both the Senate and the Assembly within 90 days of the submission of the nomination, the nominee shall take office as if he or she had been confirmed by a majority of the Senate and Assembly; provided, that if such 90-day period ends during a recess of the Legislature, the period shall be extended until the sixth day following the day on which the Legislature reconvenes.”

A vacancy in a constitutional office designated in Section 5 of Article V of the California Constitution means a vacancy in the office of the Superintendent of Public Instruction, the Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, or a member of the State Board of Equalization (subd. (b), Sec. 5, Art. V, Cal. Const.). A vacancy in a constitutional office may be precipitated by a variety of

events, including resignation (subd. (c), Sec. 1770, Gov. C.¹). It is “the settled law of this state that a resignation takes effect immediately upon the date mentioned in the written resignation, filed as provided by law by the officer tendering his [or her] resignation. No acceptance is required” (*Meeker v. Reed* (1924) 70 Cal.App. 119, 123; see also *Armistead v. State Personnel Board* (1978) 22 Cal.3d 198, 205–207; *People v. Porter* (1856) 6 Cal. 26, 28; *In re Advisory Opinion to the Governor* (1934) 117 Fla. 773, 777). “It is also the settled law of this state that if an officer, after tendering his [or her] resignation continues to discharge the duties thereof, he [or she] does so as a *de facto* officer, and is not a mere usurper. This ruling is founded upon public necessity and to prevent an hiatus in government.” (*Meeker v. Reed*, supra, at p. 123).

Thus, is our opinion that if a constitutional officer designated in Section 5 of Article V of the California Constitution submits to the Governor a letter of resignation from that office, specifying that the resignation is to be effective on a date a short time subsequent to the date of the letter, that office is vacant as of the subsequent date mentioned in the letter.

We now consider whether, if prior to the subsequent date mentioned in the letter the Governor delivers to the Senate and the Assembly a writing that nominates a person to take office to fill the vacancy, the 90-day period specified by subdivision (b) of Section 5 of Article V of the California Constitution commences as of the date of that delivery.

Subdivision (b) of Section 5 of Article V of the California Constitution, as quoted above, authorizes the Governor to nominate a person to fill a vacancy in a constitutional office identified by that constitutional provision “[w]henver there is a vacancy” in the constitutional office.

In determining the meaning of a constitutional provision, consideration must be given to the words used, giving every word, clause, and sentence their natural and ordinary meaning (see *City and County of San Francisco v. County of San Mateo* (1995) 10 Cal.4th 554, 562; *Mutual Life Ins. Co. v. City of Los Angeles* (1990) 50 Cal.3d 402, 407). Thus, we must give consideration to the words used in subdivision (b) of Section 5 of Article V that “[w]henver there is a vacancy in the office of the Superintendent of Public Instruction, the Lieutenant Governor, Secretary of State, Controller, Treasurer, or Attorney General, or on the State Board of Equalization, the Governor shall nominate a person to fill the vacancy” and apply their natural and ordinary meaning.

The natural and ordinary meaning of the term “vacancy” as set forth in the dictionary is “3a: a vacating of an office, post or piece of property; b: the state of such when vacated or vacant” (Webster’s Third New International Dictionary (2002), at p. 2527). In turn, the meaning of the term “vacant” is “1: not filled or occupied by an incumbent, possessor or officer” (*Ibid.*).

The authority of the Governor to nominate a person to fill a vacancy pursuant to subdivision (b) of Section 5 of Article V of the California Constitution has, as a prerequisite, a requirement that there be a vacancy in the enumerated elected state office to be filled since that

¹ All further section references are to the Government Code, unless otherwise indicated.

constitutional provision applies “[w]henver there is a vacancy in the office of the Superintendent of Public Instruction, the Lieutenant Governor, Secretary of State, Controller, Treasurer, or Attorney General, or on the State Board of Equalization.” As discussed in Analysis No. 1, inasmuch as it is the settled law in the state that a resignation from public office takes effect immediately upon the date mentioned in the written resignation (*Meeker v. Reed*, supra, at p. 123), it would follow that a public office does not become vacant until a resignation submitted by a public officer takes effect, which would be the date mentioned in the letter of resignation.

The courts have held, however, that the Governor is empowered to make an appointment to fill an impending vacancy in a judicial office, provided he or she is still in office at the time the vacancy occurs and the commission becomes effective (*Morrison v. Michael* (1979) 98 Cal.App.3d 507, 514). In reaching its conclusion in *Morrison v. Michael*, supra, the court quoted the Florida case of *Tappy v. State* (Fla. 1955) 82 So.2d, 161, 166, which explained the following:

“A prospective appointment is valid if the governor who makes the appointment *is still in office at the time the vacancy occurs and the commission becomes effective*. As the general rule is stated by an eminent text writer: ‘A prospective appointment to fill an anticipated vacancy in a public office, made by a person or body which, *as then constituted*, is empowered to fill the vacancy when it arises, is, in the absence of express law forbidding it, a legal appointment and vests title to the office in the appointee. Thus where a public officer resigns his office to take effect at a future day, and his resignation is accepted, the appointing power being, as then organized, authorized to fill the vacancy when it shall occur, may appoint a successor, the appointment to take effect when the resignation becomes operative.’ Mechem on Public Offices and Officers, pp. 66, 67, Section 133.” (Italics in original; emphasis by underscore is added; footnote omitted; *Morrison v. Michael*, supra, at pp. 511–512).

We think that a court would apply the rationale of *Morrison v. Michael*, supra, with respect to prospective appointments to the appointment of constitutional officers generally. Thus, it is our opinion that a letter signed by the Governor nominating a person to fill a position prior to that position being vacated is in the nature of a prospective nomination, with that person not being nominated until the position becomes vacant upon the date the resignation takes effect. Thus, the 90-day period that the Senate and the Assembly have to confirm or refuse to confirm a nominee does not, in our view, commence on the date the Governor delivers the letter of nomination, if that letter is delivered prior to the effective date of the resignation of that position. In that instance, it is our opinion that the 90-day period instead commences on the date the office is vacated, which would be the date mentioned in the letter of resignation.

In conclusion, it is our opinion that if a constitutional officer designated in Section 5 of Article V of the California Constitution submits to the governor a letter of resignation from that office,

specifying that the resignation is to be effective on a date a short time subsequent to the date of the letter, that office is vacant as of the subsequent date mentioned in the letter. We further conclude that if a constitutional office is vacant as of the subsequent date mentioned in the letter, and, prior to that date, the Governor delivers to the Senate and the Assembly a writing that nominates a person to take office to fill the vacancy, the 90-day period specified by subdivision (b) of Section 5 of Article V of the California Constitution would not commence as of the date of that delivery, but would instead commence as of the subsequent date mentioned in the letter of resignation.

Very truly yours,

DIANE F. BOYER-VINE
Legislative Counsel

By

DIANA G. LIM
Deputy Legislative Counsel

RECESS

By unanimous consent, at 12:09 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Chu introduced and then presented a resolution to Bruce Roberts, Acting Executive Director, CA Council on Problem Gambling, Inc., Sherry Ellis, Office of Problem Gambling, Chon Gutierrez, Director, CA State Lottery, Susan Jensen, Director of Communications, CA Nations Indian Gaming Assoc., Allison Harvey, Executive Director, CA Tribal Business Alliance, Paul Osaki, Commissioner, Asian Pacific Islander Problem Gambling Task Force, and Susan Ross, CA Horse Racing Board.

RECONVENED

At 12:10 p.m., the Assembly reconvened.

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

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

ASSEMBLY BILL NO. 42 (Núñez)—An act to amend Section 12174 of the Government Code, relating to museums, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—72

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Bill

ASSEMBLY BILL NO. 69 (Harman)—An act to amend Sections 5301, 5303, and 5401 of the Probate Code, relating to multiple-party accounts.

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

AYES—73

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

NOES—None

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

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

RECESS

By unanimous consent, at 12:14 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Levine introduced and then presented a resolution to Jolene Koester, President of California State University, Northridge.

RECONVENED

At 12:15 p.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

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

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Dennis Machida, of South Lake Tahoe.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Evelyn Young McAlister, of Wilton.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Blanche Harpham, of Eureka, and Lee Torr III, of Monte Rio.

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 Jane M. Ronning, of Davis; Suzanne Mattson, Delilah Jean O'Connell, Erna Offermann, and Loretta Therese Tirey, of Fairfield; WH Butch' Rodgers and Myrtle Coburn Wilson, of Vacaville; Anita L. Neil, of Winters; and Marcia Wilder-Lutz, of Woodland.

VOTE ADDS

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

Assembly Bill No. 42 and Urgency: Shirley Horton, Leno, and Montañez—Aye.

Consent Calendar: Shirley Horton, La Suer, and Leno—Aye.

MOTION TO ADJOURN

At 12:24 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members De La Torre, Bogh, Laird, and Wyland arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:31 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1748—Committee on Transportation (Oropeza (Chair), Huff (Vice Chair), Chan, Shirley Horton, Karnette, Liu, Pavley, Ridley-Thomas, Salinas, and Torrico). An act to amend Section 12804.9 of the Vehicle Code, relating to vehicles.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 35—Hancock. Relative to youth organizations.

ASSEMBLY CONCURRENT RESOLUTION NO. 36—Berg. Relative to Breast Cancer Awareness and Prevention Month.

AUTHOR'S AMENDMENTS
Committee on Rules

March 7, 2005

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

Assembly Concurrent Resolution No. 19

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

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 19—Relative to Irish-American Heritage 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 Jobs, Economic Development, and the Economy

March 7, 2005

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

Assembly Concurrent Resolution No. 7

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

ARAMBULA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 7—Relative to space travel.

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 Environmental Safety and Toxic Materials

March 7, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Joint Resolution No. 8

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

RUSKIN, Chair

ASSEMBLY JOINT RESOLUTION NO. 8—Relative to marine pollution.

Resolution read second time; 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 Judiciary

March 7, 2005

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

Assembly Bill No. 173

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

JONES, Chair

ASSEMBLY BILL NO. 173—An act to add Section 1714.4 to the Civil Code, relating to liability.

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

March 7, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 219

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

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 219—An act to add Section 12812 to the Government Code, relating to state agencies.

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 7, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 27
House Resolution No. 7

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

Committee on Appropriations

Date of Hearing: March 7, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 156

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

CHU, Chair

Above bill ordered to second reading.

Date of Hearing: March 7, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 50

With the recommendation: Do pass.

CHU, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: March 1, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 33
Assembly Bill No. 106
Assembly Bill No. 183

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

LENO, Chair

Above bills ordered to second reading.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, March 8, 2005, out of respect to the memory of Tom Henderson, on motion of Assembly Member Leno; out of respect to the memory of Dennis Machida, on motion of Assembly Member Leslie; out of respect to the memory of Evelyn Young McAlister, on motion of Assembly Member Wolk; out of respect to the memory of Blanche Harpham and Lee Torr III, on motion of Assembly Member Berg; and out of respect to the memory of Jane M. Ronning, Suzanne Mattson, Delilah Jean O'Connell, Erna Offermann, Loretta Therese Tirey, WH Butch' Rodgers, Myrtle Coburn Wilson, Anita L. Neil, and Marcia Wilder-Lutz, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 7, 2005**

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

AB RN

173 0508982

219 0508980

ACR RN

7 0508661

19 0509118

AJR RN

8 0508983

Daily Total: 5

Cumulative Total: 48

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 8, 2005

THIRTY-SEVENTH SESSION DAY

NINETY-THIRD 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, March 8, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

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

Quorum present.

At 12:55 p.m., Hon. Joe Canciamilla, 11th 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 Member Nation.

Because of illness: Assembly Members Gordon, Jerome E. Horton, and Oropeza.

Because of jury duty: Assembly Member Shirley Horton.

(NOTE: For letter explaining the absence of Assembly Member Nation on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 7, 2005.)

COMMUNICATIONS

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

March 8, 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 Greg Aghazarian to replace Assemblymember Shirley Horton on the Assembly Business and Professions Committee for today’s hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 28, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Prohibition on Defined Benefit Public Pensions.
Alternative Plans.**

Initiative Constitutional Amendment and Statute. SA 2005RF0007

Referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Mental Health Services Act. Repeal.
Initiative Statute. SA 2005RF0008**

Referred by the Speaker to the Committees on Health and Revenue and Taxation.

**Public Employee Union Dues.
Required Employee Consent for Political Contributions.
Initiative Statute. SA 2005RF0009**

Referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**District Reapportionment.
Initiative Constitutional Amendment. SA 2005RF0016**

Referred by the Speaker to the Committee on Elections and Redistricting.

REPORTS

The following reports were presented by the Chief Clerk:

**2003–04 Annual Consulting Services Report
(Pursuant to Public Contract Code Section 10359(c))**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated February 28, 2005, referred by the Speaker to the Committee on Business and Professions.

**Non-compliance with
State and Federal Child Nutrition Program Requirements
(Pursuant to Budget Act 2004
Item 6110-001-0890, Provision 27, Chapter 208, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated February 28, 2005, referred by the Speaker to the Committee on Education.

**Final Audit Report on the Renewable Resource Trust Fund
for the Fiscal Year Ended June 30, 2004
(Pursuant to Public Resources Code Section 25751 (g))**

Above transmitted report, together with letter of transmittal from Samuel E. Hull, Chief, Office of State Audits and Evaluations, Department of Finance, dated March 1, 2005, referred by the Speaker to the Committee on Utilities and Commerce.

**2003-04 Performance Data Report
(Pursuant to Welfare and Institutions Code, Section 19106)**

Above transmitted report, together with letter of transmittal from Catherine Campisi, Ph.D., Director, Department of Rehabilitation, dated March 2, 2005, referred by the Speaker to the Committee on Human Services.

**Report on Organized Automobile Fraud Activity Interdiction Program
for Fiscal Years 2000-2004
(Pursuant to Insurance Code Section 1874.8)**

Above transmitted report, together with letter of transmittal from John Garamendi, Insurance Commissioner, Department of Insurance, dated March 1, 2005, referred by the Speaker to the Committee on Insurance.

**Red Flashing Signal Lights and Stop Signal Arm Stopping System
on School Buses—
Effectiveness in Reducing Accidents, Injuries, and Deaths
(Pursuant to Assembly Bill 1573, Chapter 647, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from M. L. Brown, Commissioner, Department of California Highway Patrol, dated March 7, 2005, referred by the Speaker to the Committee on Transportation.

**California's Access to Visitation Grant Program
for Enhancing Responsibility and Opportunity for Nonresidential Parents
Report for Fiscal Years 2003-2004 and 2004-2005
(Pursuant to Assembly Bill 673, Chapter 1004, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated March 4, 2005, referred by the Speaker to the Committee on Judiciary.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 8, 2005

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

Assembly Bill No. 173

Assembly Bill No. 219

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 8, 2005

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

- Assembly Concurrent Resolution No. 7
- Assembly Concurrent Resolution No. 19
- Assembly Joint Resolution No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, March 8, 2005

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

- Assembly Concurrent Resolution No. 27

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

AUTHOR'S AMENDMENTS

Committee on Revenue and Taxation

March 8, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 218

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

KLEHS, Chair

ASSEMBLY BILL NO. 218—An act to add and repeal Section 17053.19 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 Water, Parks and Wildlife

March 8, 2005

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

Assembly Bill No. 24

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

WOLK, Chair

ASSEMBLY BILL NO. 24—An act to add Section 4810 to the Fish and Game Code, relating to mountain lions.

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

March 8, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 164

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

KLEHS, Chair

ASSEMBLY BILL NO. 164—An act to amend Section 8686 of the Government Code, and to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.92, 195.93, and 195.94 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, 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 Elections and Redistricting

March 8, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 187

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

UMBERG, Chair

ASSEMBLY BILL NO. 187—An act to amend, repeal, and add Sections 3307 and 3311 of the Elections Code, relating to overseas voters.

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

March 8, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Concurrent Resolution No. 5

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

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 5—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 Public Safety

March 8, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 46
Assembly Bill No. 114
Assembly Bill No. 221

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

LENO, Chair

ASSEMBLY BILL NO. 46—An act to amend Sections 11054 and 11056 of the Health and Safety Code, relating to controlled substances.

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

ASSEMBLY BILL NO. 114—An act to amend Section 1109 of the Evidence Code, relating to admissibility of evidence.

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

ASSEMBLY BILL NO. 221—An act to add Section 2933.7 to the Penal Code, relating to crimes.

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.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 156—An act relating to the Budget Act of 2005.

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

ASSEMBLY BILL NO. 33—An act to amend Section 272 of the Penal Code, relating to crime.

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

ASSEMBLY BILL NO. 106—An act to add Section 1465.9 to the Penal Code, relating to battery.

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

ASSEMBLY BILL NO. 183—An act to add Section 6203.5 to the Penal Code, relating to conservation camps, and declaring the urgency thereof, to take effect immediately.

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

SECOND READING OF SENATE BILLS

SENATE BILL NO. 50—An act to amend Section 24357 of, and to add Section 17206 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 4:25 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 9, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 8, 2005

—————

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

AB RN

24	0509037
33	0509029
46	0509163
106	0509023
114	0508919
156	0509003
164	0509090
183	0509022
187	0509089
218	0508860
221	0508535

ACR RN

5	0509261
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Daily Total: 12

Cumulative Total: 60

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 9, 2005
THIRTY-EIGHTH SESSION DAY
NINETY-FOURTH 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
Wednesday, March 9, 2005

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—71:

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

Quorum present.

At 1:38 p.m., Hon. Roger Niello, 5th 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 Cohn, Frommer, Haynes, Nation, and Núñez.

On personal business, and waiving per diem: Assembly Member Levine.

Because of illness: Assembly Members Calderon, Gordon, and Oropeza.

EXPLANATIONS OF ABSENCE

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

March 9, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 317
Sacramento, California*

Dear Mr. Speaker: While I was at the Capitol today on State related business I inadvertently forgot to Check-In.

I apologize for any inconvenience that this oversight may have caused and appreciate your understanding.

Sincerely,

REBECCA COHN, Assembly Member
Twenty-fourth District

March 8, 2005

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

Dear Mr. Speaker: I respectfully request an excuse for Check-In Session on March 9, 2005, to attend legislative meetings in my District Office.

Thank you for your attention to this request. If you have any questions, please telephone my Chief of Staff, Dan Reeves, at 319-2043.

Sincerely,

DARIO FROMMER, Assembly Member
Forty-third District

March 2, 2005

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

Dear Mr. Speaker: Please excuse me from Assembly Check-in Session on Wednesday, March 9, and Assembly Floor Session, Thursday, March 10, 2005, due to legislative business.

Sincerely,

RAY HAYNES, Assembly Member
Sixty-sixth District

March 1, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from check in session on Wednesday, March 9, 2005 due to legislative meetings scheduled in my district office.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

March 9, 2005

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

Dear Dotson: This is to advise you that I will be out of town on legislative business today, March 9, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

COMMUNICATIONS

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

March 9, 2005

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

RE: Appointment of Loni Hancock
to State Coastal Conservancy

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Loni Hancock to the State Coastal Conservancy. This is a pleasure appointment starting March 9, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 9, 2005

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

RE: Appointment of Lois Wolk
to Wildlife Conservation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Lois Wolk to the Wildlife Conservation Board. This is a pleasure appointment starting March 9, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Seventh Biennial Report
(Pursuant to Government Code Section 14051)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated March 4, 2005, referred by the Speaker to the Committee on Transportation.

**Report on Incompetent to Stand Trial Commitments
Exceeding the 10-Day Limit
(Pursuant to Senate Bill 391, Chapter 294, Statutes of 1997)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, referred by the Speaker to the Committee on Health.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Select Committee on Development of a 10th University of California, Merced Campus to convene jointly with the Higher Education Committee, on Tuesday, March 15, 2005, at 1:30 p.m.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 9, 2005

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

Assembly Bill No. 156

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 9, 2005

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

Assembly Bill No. 24
 Assembly Bill No. 33
 Assembly Bill No. 46
 Assembly Bill No. 106
 Assembly Bill No. 114

Assembly Bill No. 164
 Assembly Bill No. 183
 Assembly Bill No. 187
 Assembly Bill No. 218
 Assembly Bill No. 221

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 9, 2005

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

Assembly Concurrent Resolution No. 5

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1749—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Aghazarian, Bermudez, Calderon, Chavez, Garcia, Levine, Liu, Torrico, and Yee). An act to amend Sections 22978.4, 22978.7, 22979.2, and 22979.7 of the Business and Professions Code, and to add Section 30361.5 to the Revenue and Taxation Code, relating to cigarettes and tobacco products.

ASSEMBLY BILL NO. 1750—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Aghazarian, Bermudez, Calderon, Chavez, Coto, Garcia, La Suer, Levine, Liu, Torrico, and Yee). An act to amend Sections 12012.90, 12712, and 12717 of the Government Code, relating to gaming.

ASSEMBLY BILL NO. 1751—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Aghazarian, Bermudez, Calderon, Chavez, Coto, Levine, Liu, Torrico, and Yee). An act to amend Section 19606.1 of the Business and Professions Code, relating to horse racing revenues.

ASSEMBLY BILL NO. 1752—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Aghazarian, Bermudez, Calderon, Chavez, Levine, Torrico, and Yee). An act to amend Section 23357 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 1753—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Aghazarian, Bermudez, Calderon, Chavez, Coto, Levine, Liu, Torrico, and Yee). An act to amend Sections 19854 and 19984 of the Business and Professions Code, and to amend Sections 330.9, 332, 337a, 337d, 337j, and 337z of the Penal Code, relating to gambling.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 37—Berg (Coauthors: Chan, Daucher, Leno, and Mullin). Relative to public broadcasting.

AUTHOR'S AMENDMENTS Committee on Judiciary

March 9, 2005

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

Assembly Bill No. 118

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

JONES, Chair

ASSEMBLY BILL NO. 118—An act to amend Section 6320 of the Family Code, relating to protective orders.

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**

March 9, 2005

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

Assembly Bill No. 93

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 93—An act to amend Sections 60510 and 60511 of the Education Code, relating to instructional materials.

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 Employees, Retirement and Social Security**

March 9, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 55

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

TORRICO, Chair

ASSEMBLY BILL NO. 55—An act to add Section 22955.1 to, and to repeal and add Section 22954.1 of, the Education Code, relating to state teachers’ retirement, making an appropriation therefor, 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 Health**

March 9, 2005

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

Assembly Bill No. 44

Assembly Bill No. 89

Assembly Bill No. 47

Assembly Bill No. 116

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

CHAN, Chair

ASSEMBLY BILL NO. 44—An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 47—An act to amend Section 104900 of the Health and Safety Code, relating to pneumonia vaccines.

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

ASSEMBLY BILL NO. 89—An act to add Division 1.7 (commencing with Section 1190) to the Health and Safety Code, and to add Chapter 17 (commencing with Section 12694) to Part 6.2 of Division 2 of the Insurance Code, relating to health care coverage.

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

ASSEMBLY BILL NO. 116—An act to amend Section 124030 of the Health and Safety Code, relating to child health and disability prevention.

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

March 9, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 179

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

EVANS, Chair

ASSEMBLY BILL NO. 179—An act to add Sections 1259.6 and 1569.39 to the Health and Safety Code, relating to long-term care.

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.

CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES

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

Assembly Bill No. 156, ordered to third reading.

ADJOURNMENT

At 4:30 p.m., the Assembly adjourned until 9:30 a.m., Thursday, March 10, 2005.

LELAND Y. YEE, Speaker pro Tempore

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 9, 2005**

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

AB	RN	
44	0509033	
47	0509146	
55	0509151	
89	0509051	
93	0509242	
116	0509239	
118	0509258	
179	0509014	
Daily Total:		8
Cumulative Total:		68

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 10, 2005
THIRTY-NINTH SESSION DAY
NINETY-FIFTH 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
Thursday, March 10, 2005

The Assembly met at 9:30 a.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 Mountjoy moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:34 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—74:

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

PRAYER

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

Heavenly Father, We thank You for this day. You give us light and dispel our darkness. You reward us because we do what is right; and You bless us because we obey Your law. Thank You also for the opportunities You will present to us today, Lord. Help us to think like You and to see ourselves the way You see us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Haynes.

Because of illness: Assembly Members Calderon, Gordon and Oropeza.

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

Due to travel delays: Assembly Member Núñez.

(NOTE: for letter explaining the absence of Assembly Member Haynes on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 9, 2005.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 10, 2005

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

Assembly Bill No. 44

Assembly Bill No. 93

Assembly Bill No. 47

Assembly Bill No. 116

Assembly Bill No. 55

Assembly Bill No. 118

Assembly Bill No. 89

Assembly Bill No. 179

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Member Frommer was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

GOVERNOR'S APPOINTMENT REFERRED

Assembly Member Frommer was granted unanimous consent that the Governor's appointment of Bruce A. McPherson to the Office of Secretary of State be referred to the Committee on Rules.

RECESS

By unanimous consent, at 9:36 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Chu introduced Sang-Ki Chung, the new Consul General from the Republic of Korea, Consul Kyung-Han Kim, and Jung H. Moon.

RECONVENED

At 9:38 a.m., the Assembly reconvened.

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

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

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

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 27**

Assembly Member La Malfa was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 27.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Canciamilla, Chavez, 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 Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Parra, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member La Malfa was granted unanimous consent to take up Assembly Concurrent Resolution No. 27, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 27, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 27—Relative to National Engineers Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY BILL NO. 156 (Committee on Budget)—An act to make an appropriation in augmentation of the Budget Act of 2004, relating to contingencies and emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

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

AYES—72

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

NOES—2

La Suer Mountjoy

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 50 (Campbell)—An act to amend Section 24357 of, and to add Section 17206 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

Bill passed by the following vote:

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 182 (Benoit)—An act to amend Section 1529 of the Penal Code, relating to search warrants.

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.)*

HOUSE RESOLUTION NO. 7 (Runner)—Relative to Endometriosis Awareness Month.

Resolution read and adopted.

*(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—74

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

NOES—None

ADJOURN IN MEMORY

Assembly Members Baca and Emmerson were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Thip and Khaley Griffith, of Fontana.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Manuel Hernandez, of Visalia.

(Assembly Rule 45.5 suspended.)

At 9:50 a.m., Assistant Speaker pro Tempore Sally Lieber, 22nd District, presiding

ADJOURN IN MEMORY

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 Kermit Leong, of Daly City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Moment of Silence

Assembly Member Wyland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Spc. Wade Michael Twyman, of Vista and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

At 9:54 a.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

ADJOURN IN MEMORY

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Chiseko Wakida, of El Cerrito.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard McNulty, of Arcadia; Virginia Hipple, of Oakdale, MI; and Ella Lee Roberts, of Tacoma, WA.

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 Arlene Yorba Ruiz, of Corona.

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 Wilhelmina G. Riemann and Gordie Marie Snell, of Davis; Frank William Robertson, Charles Edward Sanford, and Geraldine Smith Thoming, of Fairfield; Byron Lucas Anderson and Kevin Patrick Murphy, of Vacaville; Joyce Lynn Bisson, Daniel Joseph Briones, Sr., Rodger D. Gibson, Hazel M. Larock, and Kevin John Thomas, of Woodland.

VOTE ADDS

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

Assembly Bill No. 156: Blakeslee, Canciamilla, Levine, Nakanishi, Ridley-Thomas, Spitzer, Tran, and Umberg—Aye.

Senate Bill No. 50: Canciamilla, Levine, Nakanishi, Ridley-Thomas, Spitzer, Tran, Umberg, and Wyland—Aye.

Consent Calendar: Blakeslee, Canciamilla, Chavez, Levine, Nakanishi, Ridley-Thomas, Tran, Umberg, and Wyland—Aye.

MOTION TO ADJOURN

At 9:55 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Bogh, Plescia, and Laird arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 38—Cogdill. Relative to Eagle Scouts.

ASSEMBLY CONCURRENT RESOLUTION NO. 39—Tran. Relative to child abuse prevention.

AUTHOR'S AMENDMENTS**Committee on Revenue and Taxation**

March 10, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 168

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

KLEHS, Chair

ASSEMBLY BILL NO. 168—An act to add Article 7.5 (commencing with Section 9147.1) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to repeal Section 13305 of, the Government Code, relating to state government.

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

AUTHOR'S AMENDMENTS
Committee on Health

March 10, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 119

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

CHAN, Chair

ASSEMBLY BILL NO. 119—An act to amend Section 14043.26 of the Welfare and Institutions 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 Insurance

March 10, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 204

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

VARGAS, Chair

ASSEMBLY BILL NO. 204—An act to amend Section 10172.5 of the Insurance Code, relating to life insurance.

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

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: March 10, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 19

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
79	B. & P.
97	Ed.
312	Pub. S.
313	B. & P.
328	W.,P. & W.
329	W.,P. & W.
348	J., E.D. & E.
371	E.S. & T.M. and W.,P. & W.
382	B. & F.
401	Ed.
409	J., E.D. & E.
410	J., E.D. & E. and V.A.
424	B. & F. and Pub. S.
462	Trans.
464	Jud.
477	Hum. S. and P.E.,R. & S.S.
486	L. Gov.
495	E.S. & T.M.
499	J., E.D. & E.
514	Ins. and P.E.,R. & S.S.
515	U. & C. and Nat. Res.
518	Budget
528	B. & F.
533	Jud.
534	B. & P.
535	B. & F. and Pub. S.
590	H. & C.D. and Jud.
721	E.S. & T.M.
725	Budget
742	P.E.,R. & S.S.
820	J., E.D. & E.
828	Higher Ed. and V.A.
836	Budget
843	B. & F.
854	J., E.D. & E.
917	Ed.
934	E. & R.
974	U. & C.
975	Ins.
980	V.A. and Ins.
1051	Trans.
1053	Ed.
1054	E. & R.
1055	Ins.
1057	Ed.
1058	Health
1059	Agri.
1060	Pub. S.
1061	Agri.

1063	-----	Pub. S.
1066	-----	P.E.,R. & S.S.
1069	-----	Pub. S.
1071	-----	Ed.
1072	-----	Higher Ed. and B. & P.
1075	-----	Health
1077	-----	Health and Ed.
1078	-----	E.S. & T.M.
1079	-----	Hum. S.
1080	-----	Pub. S.
1081	-----	E.S. & T.M.
1082	-----	U. & C.
1085	-----	Health
1088	-----	Higher Ed.
1089	-----	Ed.
1093	-----	L. & E.
1096	-----	E. & R.
1100	-----	Ed.
1102	-----	Jud.
1103	-----	Nat. Res.
1104	-----	U. & C.
1105	-----	Health
1106	-----	Pub. S.
1107	-----	Ed.
1109	-----	Pub. S.
1110	-----	Ed.
1111	-----	Health
1112	-----	Pub. S.
1113	-----	B. & P.
1114	-----	B. & P.
1115	-----	B. & P.
1116	-----	B. & P.
1117	-----	B. & P.
1118	-----	Trans.
1120	-----	Ins.
1122	-----	Ins.
1124	-----	Ins.
1126	-----	G.O.
1132	-----	Trans.
1133	-----	Jud.
1136	-----	Ed.
1137	-----	Higher Ed.
1141	-----	Health
1142	-----	Health
1147	-----	Agri.
1148	-----	Trans.
1149	-----	Trans.
1150	-----	Jud.
1152	-----	Pub. S.
1153	-----	Pub. S.
1154	-----	Ed.
1157	-----	Trans.
1158	-----	Jud.
1160	-----	Pub. S.

1162	-----	Ed.
1164	-----	Rev. & Tax.
1166	-----	P.E.,R. & S.S.
1169	-----	Pub. S.
1171	-----	Ed.
1173	-----	Trans.
1174	-----	B. & P.
1175	-----	Health
1176	-----	Jud.
1177	-----	Ed.
1180	-----	G.O.
1181	-----	Ed.
1182	-----	U. & C.
1185	-----	Health
1186	-----	P.E.,R. & S.S.
1189	-----	Trans.
1191	-----	Ed.
1192	-----	L. & E.
1196	-----	Ed.
1197	-----	Trans.
1199	-----	Health
1200	-----	W.,P. & W.
1205	-----	L. Gov.
1206	-----	P.E.,R. & S.S.
1212	-----	Ed.
1213	-----	Ed.
1214	-----	Ed.
1215	-----	Ed.
1216	-----	Ed.
1217	-----	Ed.
1218	-----	Ed.
1220	-----	Nat. Res.
1221	-----	Nat. Res.
1223	-----	Trans.
1225	-----	Health
1229	-----	Trans.
1231	-----	Nat. Res.
1232	-----	E.S. & T.M.
1236	-----	Jud.
1237	-----	Pub. S.
1239	-----	Health
1240	-----	E.S. & T.M.
1241	-----	Higher Ed.
1242	-----	Hum. S.
1246	-----	Ed.
1247	-----	W.,P. & W.
1250	-----	B. & F.
1252	-----	Trans.
1253	-----	Ed.
1257	-----	Pub. S.
1260	-----	Ed.
1263	-----	B. & P.
1266	-----	Trans.
1275	-----	Health

1276	-----	Trans.
1277	-----	Trans.
1280	-----	Higher Ed.
1281	-----	Trans.
1282	-----	Rev. & Tax.
1283	-----	Trans.
1288	-----	Pub. S.
1289	-----	Pub. S.
1290	-----	W.,P. & W.
1293	-----	Jud.
1294	-----	Pub. S.
1297	-----	B. & P.
1300	-----	Ed.
1303	-----	Ed.
1304	-----	B. & F.
1305	-----	Pub. S.
1306	-----	Ed.
1309	-----	E. & R.
1312	-----	L. & E.
1314	-----	L. Gov.
1315	-----	Higher Ed.
1316	-----	Health
1318	-----	L. Gov.
1320	-----	Ed.
1321	-----	Health
1322	-----	Jud.
1323	-----	Pub. S.
1324	-----	Trans.
1325	-----	Pub. S.
1328	-----	Nat. Res.
1329	-----	L. Gov.
1331	-----	Ins.
1335	-----	L. Gov.
1337	-----	E.S. & T.M.
1338	-----	Jud.
1339	-----	L. & E.
1345	-----	Ins.
1346	-----	Health
1348	-----	U. & C.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>	
29	-----	Jud.
30	-----	Ed.
31	-----	B. & F.
32	-----	Rls.
34	-----	Higher Ed.
35	-----	Rls.
36	-----	Rls.

MESSAGES FROM THE SENATE

Senate Chamber, March 10, 2005

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

Assembly Bill No. 42

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

Above bill ordered enrolled.

Senate Chamber, March 10, 2005

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

Assembly Concurrent Resolution No. 6
Assembly Concurrent Resolution No. 9
Assembly Concurrent Resolution No. 10
Assembly Concurrent Resolution No. 14

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

Above resolutions ordered enrolled.

Senate Chamber, March 10, 2005

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

Senate Bill No. 121
Senate Bill No. 122
Senate Bill No. 123

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

Senate Chamber, March 10, 2005

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

Senate Concurrent Resolution No. 26
Senate Concurrent Resolution No. 27

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

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 121—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 122—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 123—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 26—Relative to National Agriculture Week and National Agriculture Day.

SENATE CONCURRENT RESOLUTION NO. 27—Relative to drowsy driver awareness day.

INTRODUCTION OF GUESTS

Assembly Member Leslie, of the 4th Assembly District, introduced former Assembly Member Keith Olberg.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

March 10, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 79

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

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 79—An act relating to lending.

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

March 10, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 97

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 97—An act to amend Section 33128 of the Education Code, relating to school budget reserves.

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.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 10:30 a.m., Monday, March 14, 2005, out of respect to the memory of Thip and Khaley Griffith, on motion of Assembly Members Baca and Emmerson; out of respect to the memory of Manuel Hernandez, on motion of Assembly Member Maze; out of respect to the memory of Kermit Leong, on motion of Assembly Member Yee; out of respect to the memory of Spc. Wade Michael Twyman, on motion of Assembly Member Wyland; out of respect to the memory of Mary Chiseko Wakida, on motion of Assembly Member Hancock; out of respect to the memory of Richard McNulty, Virginia Hipple, and Ella Lee Roberts, on motion of Assembly Member Mountjoy; out of respect to the memory of Arlene Yorba Ruiz, on motion of Assembly Member Spitzer; and out of respect to the memory of Wilhelmina G. Riemann, Gordie Marie Snell, Frank William Robertson, Charles Edward Sanford, Geraldine Smith Thoming, Byron Lucas Anderson, Kevin Patrick Murphy, Joyce Lynn Bisson, Daniel Joseph Briones, Sr., Rodger D. Gibson, Hazel M. Larock, and Kevin John Thomas, on motion of Assembly Member Wolk.

LELAND Y. YEE, Speaker pro Tempore

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 10, 2005**

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

AB	RN	
79	0508986	
97	0508589	
119	0509329	
168	0508940	
204	0509271	
Daily Total:		5
Cumulative Total:		73

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 14, 2005
FORTIETH SESSION DAY
NINETY-NINTH 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, March 14, 2005

The Assembly met at 10:32 a.m.
Hon. Sally Lieber, Assistant 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 Garcia moved a quorum call of the Assembly.
Motion carried.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to
close the doors, and to bring in the absent Members.

Quorum Present

At 10:46 a.m., Assistant Speaker pro Tempore Lieber declared a
quorum of the Assembly present.

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

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

PRAYER

Upon invitation of Assistant Speaker pro Tempore Lieber, the following prayer was offered by Assembly Guest Chaplain Rabbi Mona Alfi:

In the book of Proverbs, Chapter 31, the question is raised: “A woman of valor who can find? Her worth is far above rubies.” Proverbs continues to describe a woman whose good deeds extend far beyond her family, a woman whose actions reach out and impact her community. At the end of this passage we are told about this woman, “Place before her the fruit of her hands; wherever people gather, her deeds speak her praise.”

Today these chambers are a virtual treasure house. For we find in our midst not *a* woman of valor, but rather *many* righteous women from throughout our state whose deeds in their communities inspire us to stop and take notice and to learn from their examples.

However the inspiration that they offer is not just for one gender but for all people. The honor they bring to their communities is for acts of generosity, commitment, and courage that we all aspire to regardless of our gender.

So we gather today as we are taught in the book of Proverbs to do, to place before these women the fruit of their hands, and to allow their deeds to speak their praise.

Praised be the Holy One who has blessed the State of California with an abundance of citizens who dedicate themselves to the needs of the community, and whose deeds bring honor to us all. May their examples continue to guide us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Lieber, Assembly Member Hancock then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

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 Gordon and Oropeza.

Due to travel delays: Assembly Member Chavez.

REPORTS

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

California State Auditor

99028.4

March 8, 2005

*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 required by Chapter 479, Statutes of 1999 (Chapter 479), the Bureau of State Audits (bureau) presents its final audit report concerning the procurement of a single, statewide automated child support system by the Department of Child Support Services (department) and the Franchise Tax Board (board) acting as its agent. The statute requires the bureau to monitor the evaluation and selection process for any signs of bias or favoritism.

There are two distinct components of a single, statewide automated system: the Child Support Enforcement (CSE) system and the State Disbursement Unit (SDU). The California Child Support Automation System (project) procured the first component on July 14, 2003, when the State signed a contract with the IBM Group, a business consortium led by IBM, to design, develop, and implement the CSE system, for a total of \$801 million. In September 2003, we reported that during our monitoring of the negotiation sessions, nothing came to our attention that would lead us to believe that the negotiations resulted in significant changes in the contract that might violate the requirements of Chapter 479 or the solicitation document. Our limited review of the contract found that it included the major business needs areas that the CSE system must address and the compensation method agreed to by the parties did not violate the law and was within the parameters of the solicitation document. With the CSE system contract in place, the project team turned to procuring a vendor for the SDU.

This report discusses the final stages of the project team's process for selecting a vendor to provide SDU services. During our monitoring of the process used to evaluate the draft and final proposals submitted by qualified business partners to provide SDU services, the development of the feasibility study report required by the Department of Finance, and the final award of the SDU contract to the consortium led by the Bank of America, nothing came to our attention that would cause us to conclude that the project team, comprised of staff from the department and the board, deviated from its predefined process for evaluating and scoring vendors' proposals as outlined in the SDU request for proposal. Nor did we see anything to indicate any bias or favoritism toward any bidder.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Judiciary.

The following reports were presented by the Chief Clerk:

**Madera County Public Health Department
(Pursuant to Health and Safety Code Section 1797.98a)**

Above transmitted report, together with letter of transmittal from Carol Barney, Public Health Director, dated March 4, 2005, referred by the Speaker to the Committee on Health.

**Merced County Department of Public Health
(Pursuant to Health and Safety Code Section 1797.98a)**

Above transmitted report, together with letter of transmittal from John Volanti, M.P.H., Director of Public Health, dated March 7, 2005, referred by the Speaker to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 14, 2005

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

Assembly Bill No. 79

Assembly Bill No. 168

Assembly Bill No. 97

Assembly Bill No. 204

Assembly Bill No. 119

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

Bill No.

Committee

172	-----	Ed.
283	-----	Pub. S.
362	-----	E.S. & T.M.
408	-----	B. & F. and Jud.
428	-----	G.O.
465	-----	Pub. S.
468	-----	Health and Ed.
512	-----	B. & P. and Health
524	-----	B. & P.
532	-----	B. & P.
672	-----	W.,P. & W.
691	-----	L. Gov.
696	-----	Hum. S.
706	-----	P.E.,R. & S.S.
708	-----	P.E.,R. & S.S.
921	-----	H. & C.D.
939	-----	H. & C.D. and L. Gov.
1097	-----	Ed.
1190	-----	U. & C.
1270	-----	Ed.
1317	-----	E.S. & T.M. and Pub. S.
1342	-----	E.S. & T.M.
1344	-----	E.S. & T.M.
1350	-----	Higher Ed.
1354	-----	E.S. & T.M.
1355	-----	G.O.
1358	-----	Ed.

1360	-----	E.S. & T.M.
1361	-----	J., E.D. & E.
1363	-----	Hum. S.
1368	-----	P.E.,R. & S.S.
1369	-----	P.E.,R. & S.S.
1372	-----	H. & C.D.
1373	-----	P.E.,R. & S.S.
1375	-----	Rev. & Tax.
1380	-----	U. & C.
1382	-----	Health
1387	-----	Nat. Res.
1394	-----	Ed.
1395	-----	J., E.D. & E.
1396	-----	Health
1400	-----	Jud.
1403	-----	Rev. & Tax.
1405	-----	P.E.,R. & S.S.
1409	-----	Ed.
1410	-----	Ed.
1411	-----	U. & C.
1415	-----	E.S. & T.M.
1418	-----	Health
1419	-----	B. & F.
1425	-----	Higher Ed.
1429	-----	Ins.
1431	-----	W.,P. & W.
1435	-----	Jud.
1436	-----	Higher Ed.
1438	-----	L. Gov.
1440	-----	Ed.
1442	-----	G.O.
1443	-----	L. Gov.
1444	-----	Jud.
1445	-----	Higher Ed. and V.A.
1446	-----	Pub. S.
1447	-----	Trans.
1449	-----	Pub. S.
1451	-----	Ed.
1452	-----	Higher Ed.
1459	-----	Jud.
1464	-----	Nat. Res.
1467	-----	L. Gov.
1504	-----	Trans.
1505	-----	Pub. S.
1508	-----	Agri.
1510	-----	P.E.,R. & S.S.
1512	-----	H. & C.D.
1516	-----	J., E.D. & E.
1517	-----	Pub. S.
1518	-----	G.O.
1519	-----	L. Gov.
1523	-----	P.E.,R. & S.S.
1524	-----	Nat. Res.
1525	-----	Rev. & Tax.

1526	-----	P.E.,R. & S.S.
1527	-----	B. & F.
1528	-----	Jud.
1529	-----	Jud.
1531	-----	Ed.
1534	-----	Hum. S.
1535	-----	Hum. S.
1536	-----	Pub. S.
1537	-----	G.O.
1541	-----	B. & P.
1547	-----	U. & C. and Nat. Res.
1551	-----	Pub. S.
1552	-----	Trans. and L. Gov.
1553	-----	Jud.
1555	-----	U. & C. and Nat. Res.
1557	-----	Nat. Res.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
13	----- Rls.
14	----- Rls.
16	----- Rls.
21	----- Rls.
23	----- Rls.
26	----- Rls.
27	----- Rls.

REQUEST FOR PHOTOGRAPHER

Assembly Member Cohn was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Cohn was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at the Members’ desks in the Assembly Chamber, for today’s “Women of the Year” ceremony.

SPECIAL COMMITTEE MEETINGS

Assembly Member Cohn was granted unanimous consent that the Committee on Rules be permitted to hold a special meeting on Thursday, March 17, 2005, upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting the Governor’s appointment to fill the vacant Office of Secretary of State for hearing.

**RECESS FOR SPECIAL CEREMONY HONORING
“WOMEN OF THE YEAR”**

By unanimous consent, at 10:50 a.m., Assistant Speaker pro Tempore Sally Lieber declared the Assembly recessed to permit the introduction of honorees in a special ceremony honoring “Women of the Year”.

RESOLUTIONS PRESENTED TO “WOMEN OF THE YEAR” HONOREES

The following women were introduced and each was escorted to the front of the Assembly Chamber by her Assembly Member, whereupon each was greeted by Speaker Núñez and presented with a resolution. Honorees were then escorted to the Member’s desk on the Assembly Floor and invited to remain seated for the remainder of today’s proceedings.

2005 “Women of the Year” Honorees

Cheryl Seidner, escorted by Assembly Member Berg; Kim Chamberlain, escorted by Assembly Member La Malfa; LaDonna Joyner, escorted by Assembly Member Keene; Helen Baumann, escorted by Assembly Member Leslie; Muriel Johnson, escorted by Assembly Member Niello; Lynn Schmidt-Cryer, escorted by Assembly Member Nation; Reverend Ann Gray Byrd, escorted by Assembly Member Evans; Deborah McGuire, escorted by Assembly Member Wolk; Mary Brill, escorted by Assembly Member Jones; Phyllis Grupe, escorted by Assembly Member Nakanishi; Judy Moon, escorted by Assembly Member Canciamilla; Tess Manalo-Ventresca, escorted by Assembly Member Yee; Lateefah Simon, escorted by Assembly Member Leno; Beatriz Leyva-Cutler, escorted by Assembly Member Hancock; Penny Redmon, escorted by Assembly Member Houston; Lena Tam, escorted by Assembly Member Chan; Candice Adam-Medefind, escorted by Assembly Member Matthews; Dr. Kirsten Severson, escorted by Assembly Member Klehs; Kitty Mulloly, escorted by Assembly Member Mullin; Sybil Smith, escorted by Assembly Member Torrico; Nonette Hanko, escorted by Assembly Member Ruskin; Judy Nadler, escorted by Assembly Member Lieber; Rose Amador, escorted by Assembly Member Coto; Judge Erica Yew, escorted by Assembly Member Cohn; Barbara Bigelow, escorted by Assembly Member Cogdill; Susan de Polo, escorted by Assembly Member Aghazarian; Juana Enriquez, escorted by Assembly Member Laird; Linda Sanchez, escorted by Assembly Member Salinas; Deby Hergenrader, escorted by Assembly Member Villines; Dolores Huerta, escorted by Assembly Member Parra; Robyn Gonzales, escorted by Assembly Member Arambula; Trudy Brown, escorted by Assembly Member McCarthy; Peggy Teal, escorted by Assembly Member Maze; Vicki Mills, escorted by Assembly Member Nava; Georgia Graham, escorted by Assembly Member Runner; Barbara Simmons, escorted by Assembly Member Strickland; Dr. Margaret Peterson, escorted by Assembly Member Richman; Maria Elena Perez, escorted by Assembly Member Montañez; Jane Bright, escorted by Assembly Member Levine; Suzanne Verge, escorted by Assembly Member Pavley; Jennifer Pizer, escorted by Assembly Member Koretz; Cristina Perez Gonzalez, escorted by Assembly Member Frommer; Maria Mehranian, escorted by Assembly Member Liu; Nancy Smith, escorted by Assembly Member Goldberg; Bettie Jo McKinney, escorted by Assembly Member Bass; Connie Watson, escorted by Assembly Member Ridley-Thomas; Irma Resendez, escorted by Assembly Member Chu; Aurelia Harris,

escorted by Assembly Member De La Torre; Lydia Cincore Templeton, escorted by Assembly Member Jerome E. Horton; Edna Aliewine, escorted by Assembly Member Dymally; Dr. Susanne Lawrenz-Miller, escorted by Assembly Member Karnette; Creasie L. Adams, escorted by Assembly Member Frommer on behalf of Assembly Member Oropeza; Deborah Lynn Anderson, escorted by Assembly Member Bermúdez; Marlen Garcia, escorted by Assembly Member Vargas on behalf of Assembly Member Chavez; Reyna Del Haro, escorted by Assembly Member Calderon; Carol Banner, escorted by Assembly Member Mountjoy; Helen Doss, escorted by Assembly Member Huff; Dr. Gloria Morrow, escorted by Assembly Member Negrete McLeod; Arlene Piazza, escorted by Assembly Member Baca; Mary Ellen Leggio, escorted by Assembly Member Emmerson; Rose Girard, escorted by Assembly Member Benoit; Laura Froehlich, escorted by Assembly Member Bogh; Linda Woods, escorted by Assembly Member Haynes; Erin Kominsky, escorted by Assembly Member Harman; Arlene Schafer, escorted by Assembly Member Tran; Captain Eileen Sever, escorted by Assembly Member Umberg; Charlene Hatakeyama, escorted by Assembly Member DeVore; Dorothy Wedel, escorted by Assembly Member Spitzer; Shirley McCracken, escorted by Assembly Member Daucher; Joyce Van Schaack, escorted by Assembly Member Walters; Mindy Fletcher, escorted by Assembly Member Plescia; Judy “Beauty” Forman, escorted by Assembly Member Saldaña; Linda Chase, escorted by Assembly Member La Suer; Mary Jo Buettner, escorted by Assembly Member Shirley Horton; Yvette R. Williams, escorted by Assembly Member Vargas; Evelyn Hernandez-Valentino, escorted by Assembly Member Garcia; Margaret Estrada, escorted by Speaker Núñez on behalf of Assembly Member Gordon; and Eleanor Olmos, escorted by Assembly Member Núñez.

Dee Lacey, honoree for the 33rd Assembly District, was acknowledged, although she was unable to attend today’s ceremony.

APPOINTMENT OF SELECT COMMITTEE ON ESCORT

Assistant Speaker pro Tempore Lieber appointed Assembly Members Bass, Berg, Daucher, Jones, Laird, and Runner as a Select Committee on Escort to escort First Lady Maria Shriver to the Rostrum.

PRESENTATION OF THE CHAIR OF THE LEGISLATIVE WOMEN’S CAUCUS

Assistant Speaker pro Tempore Lieber then presented Assembly Member Carol Liu, Chair of the Legislative Women’s Caucus.

GUEST SPEAKER PRESENTED

Assembly Member Carol Liu, Chair of the Women's Caucus, addressed the Assembly. Assembly Member Liu welcomed each of the honorees from throughout the State of California to the 19th annual "Women of the Year" ceremony to celebrate the significant contributions to society that these remarkable women have made.

Assembly Member Liu presented First Lady Maria Shriver whereupon she delivered a special address to the Members of the Assembly and "Women of the Year" honorees.

FAMILY MEMBERS AND GUESTS OF HONOREES WELCOMED

Assistant Speaker pro Tempore Lieber extended a special welcome on behalf of the Members of the Assembly to all of the friends and family of today's honorees.

REASSEMBLED

At 11:58 a.m., the Assembly reconvened.

Hon. Sally Lieber, Assistant Speaker pro Tempore, 22nd District, presiding.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 14, 2005

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

Assembly Bill No. 42

And reports the same correctly enrolled, and presented to the Governor on the 14th day of March, 2005, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

ANNOUNCEMENTS

Assistant Speaker pro Tempore Lieber announced the following session schedule:

Tuesday, March 15, 2005, Floor Session, at 4:30 p.m.;

Wednesday, March 16, 2005, Check-in Session, 7 a.m.–3 p.m.;

Thursday, March 17, 2005, Floor Session, at 9:30 a.m.

Assistant Speaker pro Tempore Lieber announced that Assembly Concurrent Resolution No. 31 will be added to today's agenda for the Committee on Banking and Finance and that today's scheduled Transportation Committee hearing is cancelled.

Assembly Member Klehs announced that the Committee on Revenue and Taxation will meet at 3 p.m., today, instead of 2:30 p.m.

SPECIAL COMMITTEE MEETINGS

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

Arts, Entertainment, Sports, Tourism, and Internet Media, on Friday, March 18, 2005, at 10 a.m., in the San Gabriel Valley.

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William Tooma, of Turlock.

Assembly Member Canciamilla was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Superior Court Judge Hon. Douglas R. Cunningham, of Lafayette and Superior Court Judge Hon. John Daniel Van Voorhis, of San Francisco.

Assembly Members Canciamilla and Houston were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roberta Fuss, of Discovery Bay.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jack L. Alston, Sr., of Los Angeles.

Assembly Member Leno was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kathleen McDonagh, of San Francisco and William Duane Swenor, of San Leandro.

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ella Wolf, of Monterey Park.

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald Foster, of Thousand Oaks and Anne Froehlich, of Pacific Palisades.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Johnson, of Victorville.

Assembly Member Torrico was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph Mello, of Gustine.

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 Harold E. Mehlhaff, of Lodi; Linda Clarisa Campbell, of Fairfield; Bill R. Downen and Phyllis Ruth Lorenzo, of Vacaville; Wilma Sue McCracken, of Winters; and Phyllis Gail Bailey, of Woodland.

MOTION TO ADJOURN

At 12:02 p.m., Assembly Member Cohn moved that the Assembly do now adjourn.

Assembly Member Runner seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:02 p.m., Assistant Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 14, 2005

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

Assembly Concurrent Resolution No. 6
 Assembly Concurrent Resolution No. 9
 Assembly Concurrent Resolution No. 10
 Assembly Concurrent Resolution No. 14

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of March, 2005, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1754—Committee on Housing and Community Development (Mullin (Chair), Garcia (Vice Chair), Baca, Hancock, La Suer, Salinas, and Torrico). An act to amend Section 51350 of the Health and Safety Code, relating to the California Housing Finance Agency.

AUTHOR'S AMENDMENTS**Committee on Governmental Organization**

March 14, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Assembly Bill No. 260

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

JEROME HORTON, Chair

ASSEMBLY BILL NO. 260—An act to amend Section 13110.5 of the Health and Safety Code, relating to fire protection.

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

AUTHOR'S AMENDMENTS**Committee on Health**

March 14, 2005

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

Assembly Bill No. 258

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

CHAN, Chair

ASSEMBLY BILL NO. 258—An act to add Section 14105.485 to the Welfare and Institutions 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 Rules**

March 14, 2005

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

Assembly Joint Resolution No. 6

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

MONTAÑEZ, Chair

ASSEMBLY JOINT RESOLUTION NO. 6—Relative to Darfur.

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 Public Safety

March 14, 2005

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

Assembly Bill No. 167

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

LENO, Chair

ASSEMBLY BILL NO. 167—An act to amend Section 1203.097 of the Penal Code, relating to domestic violence.

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

March 14, 2005

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

Assembly Bill No. 267

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

OROPEZA, Chair

ASSEMBLY BILL NO. 267—An act to amend Section 14529.17 of the Government Code, relating to transportation.

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

AUTHOR’S AMENDMENTS
Committee on Education

March 14, 2005

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

Assembly Bill No. 172

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 172—An act relating to preschool.

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

AUTHOR’S AMENDMENTS
Committee on Environmental Safety and Toxic Materials

March 14, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 289

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

RUSKIN, Chair

ASSEMBLY BILL NO. 289—An act to add Section 57013 to the Health and Safety Code, relating to hazardous chemicals.

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

March 14, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 268
Assembly Bill No. 295

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

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 268—An act to amend Section 810 of the Business and Professions Code, relating to healing arts.

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

ASSEMBLY BILL NO. 295—An act to add Section 10382 to 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.

AUTHOR'S AMENDMENTS

Committee on Judiciary

March 14, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 333

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

JONES, Chair

ASSEMBLY BILL NO. 333—An act to amend Section 2025.330 of the Code of Civil Procedure, relating to production of evidence.

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

March 14, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:
Senate Concurrent Resolution No. 13

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

SENATE CONCURRENT RESOLUTION NO. 13—Relative to Child Abuse Prevention 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 Rules

March 14, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:

Assembly Concurrent Resolution No. 35

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 35—Relative to youth organizations.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: March 14, 2005

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 9

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Date of Hearing: March 14, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 25

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.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Cohn, the Assembly adjourned until 4:30 p.m., Tuesday, March 15, 2005, out of respect to the memory of William Tooma, on motion of Assembly Member Aghazarian; out of respect to the memory of the Honorable Douglas R. Cunningham and the Honorable John Daniel Van Voorhis, on motion of Assembly Member Canciamilla; out of respect to the memory of Roberta Fuss, on motion of Assembly Members Canciamilla and Houston; out of respect to the memory of Jack L. Alston, Sr., on motion of Assembly Member Frommer; out of respect to the memory of Kathleen McDonagh and William Duane Swenor, on motion of Assembly Member Leno; out of respect to the memory of Ella Wolf, on motion of Assembly Member Levine; out of respect to the memory of Bill Johnson, on motion of Assembly Member Runner; out of respect to the memory of Joseph Mello, on motion of Assembly Member Torrico; out of respect to the memory of Donald Foster and Anne Froehlich, on motion of Assembly Member Pavley; and out of respect to the memory of Harold E. Mehlhaff, Linda Clarisa Campbell, Bill R. Downen, Phyllis Ruth Lorenzo, Wilma Sue McCracken, and Phyllis Gail Bailey, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 14, 2005**

The following measures were amended in the Assembly on this day:

AB RN

167 0509342
172 0508774
258 0509202
260 0509071
267 0509225
268 0509197
289 0509247
295 0509220
333 0508828

ACR RN

35 0509323

AJR RN

6 0509403

SCR RN

13 0509254

Daily Total: 12

Cumulative Total: 85

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 15, 2005

FORTY-FIRST SESSION DAY

ONE 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
Tuesday, March 15, 2005

The Assembly met at 4:41 p.m.
Hon. Fabian Núñez, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Bass moved a quorum call of the Assembly.
Motion carried.
The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 4:51 p.m., Speaker Núñez declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—71:

Aghazarian	De La Torre	La Suer	Plescia
Arambula	DeVore	Laird	Richman
Baca	Dymally	Levine	Ridley-Thomas
Bass	Emmerson	Lieber	Runner
Benoit	Evans	Liu	Ruskin
Berg	Frommer	Matthews	Saldaña
Bermúdez	Garcia	Maze	Salinas
Blakeslee	Goldberg	McCarthy	Spitzer
Bogh	Hancock	Montañez	Strickland
Calderon	Harman	Mountjoy	Torrico
Canciamilla	Haynes	Mullin	Tran
Chan	Huff	Nakanishi	Vargas
Chavez	Jones	Nation	Villines
Chu	Karnette	Nava	Walters
Cogdill	Keene	Negrete McLeod	Wyland
Cohn	Klehs	Niello	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	

PRAYER

Upon invitation of Speaker Núñez, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, Without a word and with no speech, each day announces Your glory. Your law is perfect, it gives us strength and understanding. Since none of us can see our own errors easily, Lord, deliver us from hidden faults. When we show reverence for You, You bless us forever. For Your judgements are just and always fair, and they are more desirable than gold.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Núñez, Assembly Member Laird then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member 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:

On legislative business: Assembly Members Jerome E. Horton, Shirley Horton, Houston, Leslie, and Umberg.

On legislative business, per diem waived for the 2005–2006 Session (See Assembly Journal, page 63): Assembly Member Wolk.

On personal business, and waiving per diem: Assembly Member Leno. Because of illness: Assembly Members Gordon and Oropeza.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 15, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Floor Session today, March 15, 2005, due to legislative business in my district. I will be returning tomorrow, March 16, 2005, in time for Assembly 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

March 15, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez: This letter is a request to be excused from regular session on Tuesday, March 15, 2005 in order to travel to my district for legislative business. I will be available for check in session on Wednesday, March 16, 2005.

Please feel free to contact me at 319-2078 with any questions or concerns. Thank you in advance for your consideration and assistance.

Sincerely,

SHIRLEY A. HORTON, Assembly Member
Seventy-eighth District

March 10, 2005

The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from the State of the Judiciary Session on Tuesday, March 15, 2005 due to a district event.

If you have any questions, please contact Anne Volz in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

March 15, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219

Dear Mr. Speaker: This letter is to address my absence from floor session on the evening of March 15, 2005.

I attended a wide range of meetings at the Capitol on the 15th, including Republican Caucus lunch and the meeting of the Assembly Higher Education Committee.

I was informed directly by one of the Assembly sergeants as I entered the room for Caucus lunch that my presence constituted "checking in" for floor session. I was not able to attend the "State of the Judiciary" speech floor session later in the day for personal reasons, but believed that I had complied with the requirements for checking in, and I request your understanding in this matter.

If you have any questions regarding this letter, do not hesitate to contact me.

Sincerely,

TIM LESLIE, Assembly Member
Fourth District

March 1, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez,

I respectfully request to be excused from session on the evening of Tuesday, March 15th so that I may be in my district on legislative business.

If you have any questions or concerns about this request, please contact Diane Pugh of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member
Sixty-ninth District

March 15, 2005

*The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez: I respectfully request to be excused from Check-in Session today, March 15, 2005, due to legislative business in my district.

If you have any questions or concerns, please contact Jenn Short, my scheduler, at 319-2008.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 14, 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, March 15th hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 15, 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 Loni Hancock to replace Assemblymember Ira Ruskin on the Assembly Public Safety Committee for today's hearing only.

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

2004-116
March 15, 2005

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, the Bureau of State Audits presents its audit report concerning our review of California's workforce development programs and the provision of employment services to white-collar job seekers. Based on information from the U.S. Department of Labor, white-collar jobs are those occupations that are considered professional, technical, executive, managerial, administrative or administrative support, and sales.

Based on the results of our survey of 225 state entities, this report concludes that 15 state entities administer or otherwise have significant involvement in one or more of 15 workforce development programs for adults. We also identified two other workforce development programs operating in the State that are federally administered. Given the breadth of occupations covered by the definition of a white-collar worker, it is virtually assured that all 17 programs we identified provide services to at least some white-collar job seekers. However, four of these programs seem more likely than the others to provide services to white-collar job seekers: the Workforce Investment Act of 1998 (WIA), the Economic and Workforce Development program, the Carl D. Perkins Vocational and Technical Education Act of 1998, and the Employment Training Panel program.

Our survey also yielded other results. Namely, despite the lack of specific information related to white-collar job seekers, we cannot conclude that state entities should amend their existing practices. Our analysis shows that white-collar job seekers can and do in fact receive services from California's workforce development system.

Specifically, white-collar job seekers constituted at least 54 percent of the enrollees for services under WIA. Moreover, white-collar jobs made up nearly 60 percent of the job openings listed on the State's labor exchange system.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Jobs, Economic Development and the Economy.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Agriculture, to hold an informational hearing on Wednesday, April 13, 2005, upon adjournment of the regular scheduled hearing in Room 4202.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 15, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 25
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, March 15, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 35
Assembly Joint Resolution No. 6
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, March 15, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 258
Assembly Bill No. 260
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 15, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 167
Assembly Bill No. 172
Assembly Bill No. 267
Assembly Bill No. 268
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Cohn was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests at the Rostrum and in the Assembly Chamber.

REQUEST FOR PHOTOGRAPHER

Assembly Member Cohn was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

RECESS

By unanimous consent, at 4:54 p.m., Speaker Fabian Núñez declared the Regular Session of the Assembly recessed.

IN JOINT CONVENTION

At 4:55 p.m., the Senate and Assembly met in Joint Convention. Hon. Fabian Núñez, Speaker of the Assembly, presiding.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Speaker Núñez appointed Assembly Members Jones, Harman, Cohn, La Suer, and Senators Dunn, Morrow, Alquist, and Poochigian as a Joint Committee on Escort to escort the Honorable Ronald M. George, Chief Justice of California, to the Rostrum.

INTRODUCTION OF SPECIAL GUESTS

Speaker Núñez introduced the Members of the Judicial Council of California and Mr. William Vickrey, Administrative Director of the Courts.

Speaker Núñez then introduced Mrs. Barbara George, wife of Chief Justice Ronald M. George and Carol Chin, wife of Associate Justice Ming Chin.

PRESENTATION OF PRESIDENT PRO TEMPORE OF THE SENATE

Speaker Núñez then presented the Honorable Don Perata, President pro Tempore of the Senate, whereupon the following Associate Justices of the Supreme Court were introduced: Hon. Joyce L. Kennard, Hon. Marvin R. Baxter, Hon. Kathryn Werdeger, Hon. Ming W. Chin, and Hon. Carlos R. Moreno.

Associate Justice Janice R. Brown was unable to attend today's proceedings.

PRESENTATION OF THE HONORABLE RONALD M. GEORGE

President pro Tempore Perata then presented the Honorable Ronald M. George, Chief Justice of California, to the Joint Convention.

ADDRESS BY THE HONORABLE RONALD M. GEORGE

Chief Justice Ronald M. George then delivered the "State of the Judiciary" address to the Joint Convention.

ADJOURNMENT OF JOINT CONVENTION

At 5:30 p.m., there being no further business, Speaker Núñez declared the Joint Convention adjourned, *sine die*.

IN ASSEMBLY

At 5:31 p.m., the Assembly reconvened.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Speaker Núñez was granted unanimous consent that the “State of the Judiciary” address by Chief Justice Ronald M. George be printed as a separate appendix to the Assembly Journal.

ADJOURN IN MEMORY

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Raul Chacon and Manuel Quevedo, of San Bernardino.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eva Alexis Bansner, of Berkeley.

Assembly Members Spitzer and Walters were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Benjamin M. Bendat, of Laguna Hills.

MOTION TO ADJOURN

At 5:32 p.m., Assembly Member Cohn moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:32 p.m., Speaker Núñez declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1755—Committee on Elections and Redistricting (Umberg (Chair), Klehs, Leno, and Levine). An act to amend Sections 82048.7, 84203, 84204, 87205, 87500, and 91007 of, and to repeal Sections 84200.3 and 84200.4 of, the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 1756—Committee on Elections and Redistricting (Umberg (Chair), Klehs, Leno, and Levine). An act to amend Section 36801 of the Government Code, relating to city government.

ASSEMBLY BILL NO. 1757—Committee on Elections and Redistricting (Umberg (Chair), Klehs, Leno, and Levine). An act to amend Sections 12015, 12016, 12107, and 12108 of, and to add Section 12015.5 to, the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1758—Committee on Elections and Redistricting (Umberg (Chair), Klehs, Leno, and Levine). An act to amend Section 10510 of the Elections Code, relating to special district elections.

ASSEMBLY BILL NO. 1759—Committee on Elections and Redistricting (Umberg (Chair), Klehs, Leno, and Levine). An act to amend Sections 11320 and 11325 of the Elections Code, relating to recall elections.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 40—Lieber and Leno. Relative to the 85th Anniversary of the League of Women Voters.

ASSEMBLY JOINT RESOLUTION NO. 10—Chu. Relative to foster care services.

AUTHOR'S AMENDMENTS
Committee on Local Government

March 15, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 159

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 159—An act to amend Section 21100 of the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Banking and Finance

Date of Hearing: March 14, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:
Assembly Concurrent Resolution No. 31

With the recommendation: Be adopted, as amended.

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.

CALDERON, Chair

Above resolution ordered on file.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 199

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

ARAMBULA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Concurrent Resolution No. 7

With the recommendation: Be adopted.

ARAMBULA, Chair

Above resolution ordered to third reading.

Committee on Revenue and Taxation

Date of Hearing: March 14, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 168

Assembly Bill No. 249

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KLEHS, Chair

Above bills re-referred to the Committee on Appropriations.

ADJOURNMENT

At 5:32 p.m., pursuant to the motion by Assembly Member Cohn, the Assembly adjourned until 7 a.m., Wednesday, March 16, 2005, out of respect to the memory of Raul Chacon and Manuel Quevedo, on motion of Assembly Member Baca; out of respect to the memory of Eva Alexis Bansner, on motion of Assembly Member Hancock; and out of respect to the memory of Dr. Benjamin M. Bendat, on motion of Assembly Members Spitzer and Walters.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 15, 2005**

The following measure was amended in the Assembly on this day:

AB RN

159 0509244

Daily Total: 1

Cumulative Total: 86

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 16, 2005

FORTY-SECOND SESSION DAY

ONE HUNDRED FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 16, 2005

The Assembly met at 7 a.m.

Hon. Ira Ruskin, Assembly Member, 21st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Aghazarian	Emmerson	Leno	Richman
Arambula	Evans	Leslie	Ridley-Thomas
Baca	Frommer	Levine	Runner
Bass	Garcia	Lieber	Ruskin
Benoit	Goldberg	Liu	Saldaña
Berg	Hancock	Matthews	Salinas
Bermúdez	Harman	Maze	Spitzer
Blakeslee	Haynes	McCarthy	Strickland
Bogh	Horton, Jerome	Montañez	Torrico
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Huff	Mullin	Umberg
Chu	Jones	Nakanishi	Vargas
Cogdill	Karnette	Nation	Villines
Cohn	Keene	Nava	Walters
Coto	Klehs	Negrete McLeod	Wolk
Daucher	Koretz	Niello	Wyland
De La Torre	La Malfa	Parra	Mr. Speaker
DeVore	La Suer	Pavley	
Dymally	Laird	Plescia	

Quorum present.

At 11:37 a.m., Hon. Paul Koretz, 42nd 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 Calderon, Chavez, Houston, and Yee.

Because of illness: Assembly Members Gordon and Oropeza.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 16, 2005

*The Honorable Fabian Núñez
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 Wednesday, March 16, 2005 due to legislative business. If you have any questions please contact Cynthia Gonzalez at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member
Fifty-eighth District

March 16, 2005

*The Honorable Fabian Núñez
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez: While I was here in my capitol office this morning, I neglected to check-in. I respectfully ask that I be excused from check-in session today, March 16, 2005 for the purpose of legislative business.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

March 9, 2005

*The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Check-in Session on Wednesday, March 16, 2005 due to a district event.

If you have any questions, please contact Anne Volz in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

March 16, 2005

*The Honorable Fabian Núñez
California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Wednesday March 16. I will be in my district during that time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
Speaker pro Tempore

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

March 16, 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 the following members to the Select Committee on Water, Infrastructure and the Economy:

Assemblymember Juan Arambula
Assemblymember Ron Calderon
Assemblymember Dave Cogdill
Assemblymember Doug La Malfa
Assemblymember Bill Maze
Assemblymember Barbara Matthews
Assemblymember Lois Wolk
Assemblymember Michael Villines

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

PROPOSED INITIATIVES

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated March 3, 2005, March 4, 2005, March 7, 2005, and March 10, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Political Activities of Public Employee Unions. Funding.
Initiative Statute. SA 2005RF0024**

Referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Same Percent Vote Requirement for Ballot Measures.
Initiative Constitutional Amendment. SA 2005RF0015, Amdt. #1-S**

Referred by the Speaker to the Committee on Elections and Redistricting.

**Ballot Measures. Same Percent Vote Requirement.
Initiative Constitutional Amendment. SA 2005RF0026**

Referred by the Speaker to the Committee on Elections and Redistricting.

**Public School Teachers. Waiting Period for Permanent Status. Dismissal.
Initiative Statute. SA 2005RF019**

Referred by the Speaker to the Committee on Education.

**Minimum Wage. Increases and Future Adjustments.
Initiative Statute. SA 2005RF0027**

Referred by the Speaker to the Committee on Labor and Employment.

**Reapportioning Election Districts. Congressional Exception.
Initiative Constitutional Amendment. SA 2005RF0035**

Referred by the Speaker to the Committee on Elections and Redistricting.

**Voter Identification Requirement.
Initiative Statute. SA 2005RF0036**

Referred by the Speaker to the Committee on Elections and Redistricting.

REPORTS

The following reports were presented by the Chief Clerk:

**2004–2005 Annual Law Revision Commission Reports
(Pursuant to Government Code Sections 8291 and 9795)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, dated March 7, 2005, referred by the Speaker to the Committee on Judiciary.

**California Law Revision Recommendation—Financial Privacy
(Pursuant to Assembly Concurrent Resolution 125
Chapter 167, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, dated March 7, 2005, referred by the Speaker to the Committee on Judiciary.

**2003–2004 Annual Report on Court Reporter Fees Collected and
Expenditures for Court Reporter Services in
Superior Court Civil Proceedings
(Pursuant to Government Code Section 68086(c))**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated February 18, 2005, referred by the Speaker to the Committee on Judiciary.

**Adjusted Interest Rate
for Period July 1, 2005 through December 31, 2005
(Pursuant to Revenue and Taxation Code Section 19521)**

Above transmitted report, together with letter of transmittal from George Ramsey, Manager, Statistical Research Section, Franchise Tax Board—Economic and Statistical Research Bureau, dated March 3, 2005, referred by the Speaker to the Committee on Revenue and Taxation.

**AB 615, Categorical Education Program Flexibility Pilot Program
(Pursuant to Assembly Bill 615, Chapter 369, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated March 4, 2005, referred by the Speaker to the Committee on Education.

**Use of Motor Vehicle Fuel Account (Boating) and
The Harbors and Watercraft Revolving Fund for Fiscal Year 2003–04
(Pursuant to Harbors and Navigation Code Section 85.2 (b)(2))**

Above transmitted report, together with letter of transmittal from Ruth Coleman, Director, Department of Parks and Recreation, dated March 4, 2005, referred by the Speaker to the Committee on Budget.

**Annual Report on the Healthy Families Program
(Pursuant to Assembly Bill 1126, Chapter 623, Statutes of 1997)**

Above transmitted report, together with letter of transmittal from Lesley Cummings, Executive Director, California Managed Risk Medical Insurance Board, dated March 4, 2005, referred by the Speaker to the Committee on Health.

**Implementation of the Workforce Investment Act (WIA) Title II
2004–05 End of Year Progress Report
(Pursuant to Budget Act 2004, Item 6110-156-0890 Provision 3)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated March 7, 2005, referred by the Speaker to the Committee on Education.

**2003–04 Proof of Legal Presence Report—
The Costs of Verifying the Citizenship or Legal Residency of
Applicants for an Original Driver License and/or Identification Card
(Pursuant to Senate Bill 976, Chapter 820, Statutes of 1993)**

Above transmitted report, together with letter of transmittal from Joan M. Borucki, Director, Department of Motor Vehicles, dated March 11, 2005, referred by the Speaker to the Committee on Transportation.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Arts, Entertainment, Sports, Tourism, and Internet Media, on Wednesday, March 23, 2005, at the Baldwin Park City Hall;

Select Committee on Water, Infrastructure and the Economy, on Friday, April 1, 2005, in Fresno.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 16, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 159

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1760—Committee on Insurance (Vargas (Chair), Calderon, Karnette, Lieber, Nava, and Umberg). An act to amend Sections 10234.6, 10089.79, 11691, 11692, 11692.5, 11693, and 11694 of, to add Section 11694.5 to, and to repeal Section 1660 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 1761—Committee on Insurance (Vargas (Chair), Calderon, Karnette, Lieber, Nava, and Umberg). An act to add Section 1033.5 to the Insurance Code, relating to insolvency.

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 15—Nation. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding and repealing Section 23 of Article IV, and by adding and repealing Section 8.5 of Article V thereof, relating to gaming.

AUTHOR'S AMENDMENTS**Committee on Veterans Affairs**

March 16, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 294

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 294—An act to add Section 343 to the Military and Veterans Code, relating to veterans, 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 Public Safety**

March 16, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 253

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 253—An act to amend Section 273a of the Penal Code, relating to 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 Health

March 16, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 319

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 319—An act to add Chapter 11 (commencing with Section 108935) and Chapter 12 (commencing with Section 108940) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Judiciary

March 16, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 12

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 12—An act to amend Section 5000 of, and to add Part 6 (commencing with Section 5800) to Division 5 of, the Probate Code, relating to nonprobate transfers.

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

March 16, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 304

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 304—An act to add Section 19162.5 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.

REPORTS OF STANDING COMMITTEES
Committee on Public Safety

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 125

Assembly Bill No. 314

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 65

Assembly Bill No. 109

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 296

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 220

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary with recommendation: To Consent Calendar.

LENO, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 275

With amendments with the recommendation: Amend, and do pass, as amended.

LENO, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Concurrent Resolution No. 1

With amendments with the recommendation: Amend, be adopted as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above resolution ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 55

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

TORRICO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 124

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

TORRICO, Chair

Above bill re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY CONCURRENT RESOLUTION NO. 31—Relative to Financial Empowerment Month.

Resolution read; amendments proposed by the Committee on Banking and Finance read and adopted; resolution ordered reprinted and to be placed upon Consent Calendar.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9:30 a.m., Thursday, March 17, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 16, 2005**

The following measures were amended in the Assembly on this day:

AB RN

12 0508932
253 0509233
294 0509183
304 0509580
319 0509302

ACR RN

31 0509487

Daily Total: 6

Cumulative Total: 92

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 17, 2005

FORTY-THIRD SESSION DAY

ONE HUNDRED 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
Thursday, March 17, 2005

The Assembly met at 9:30 a.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 Mullin moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:33 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—69:

Aghazarian	De La Torre	Laird	Ridley-Thomas
Arambula	DeVore	Leno	Ruskin
Baca	Dymally	Leslie	Salinas
Bass	Evans	Levine	Spitzer
Benoit	Frommer	Lieber	Strickland
Berg	Garcia	Liu	Torricon
Bermúdez	Goldberg	Matthews	Tran
Blakeslee	Haynes	Maze	Umberg
Bogh	Horton, Jerome	McCarthy	Vargas
Calderon	Horton, Shirley	Montañez	Villines
Canciamilla	Houston	Mullin	Walters
Chan	Huff	Nation	Wolk
Chavez	Jones	Nava	Wyland
Chu	Karnette	Negrete McLeod	Yee
Cogdill	Keene	Niello	Mr. Speaker
Cohn	Klehs	Parra	
Coto	Koretz	Plescia	
Daucher	La Malfa	Richman	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

In honor of Saint Patrick’s Day, we offer the following Irish prayer this morning:

May God grant you always
A sunbeam to warm you,
A moonbeam to charm you,
A sheltering Angel so nothing can harm you.
Laughter to cheer you,
Faithful friends near you,
And whenever you pray,
Heaven to hear you.

AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Mullin then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Emerson, Hancock, Harman, La Suer, Mountjoy, Runner, and Saldaña.

On personal business, and waiving per diem: Assembly Members Nakanishi and Pavley.

Because of illness: Assembly Members Gordon and Oropeza.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 9, 2005

*The Honorable Fabian Núñez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: The purpose of this letter is to respectfully request an excuse from session on Thursday, March 17, 2005 due to legislative business.

If you have any questions, please contact Teresa Trujillo at 319-2063. Thank you for your prompt attention to this matter.

Sincerely,

BILL EMMERSON, Assembly Member
Sixty-third District

March 16, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
Room 219, State Capitol*

Dear Mr. Speaker: I respectfully request an excused absence from Session on March 17, 2005. I have legislative business in the district.

Then I will attend the Sub 1 hearing in Los Angeles leaving from Oakland.

Sincerely,

LONI HANCOCK, Assembly Member
Fourteenth District

February 7, 2005

*Hon. Fabian Núñez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, March 17, 2005 due to legislative business in my district.

If you have any questions, please contact Kelly Garman at 916-319-2067.

Thank you for your consideration of this request.

Sincerely,

TOM HARMAN, Assembly Member
Sixty-seventh District

March 16, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: I need to be excused from legislative session tomorrow, Thursday, March 17 on legislative business. My district office was broken into last night for the second time and I need to attend to the security of the office and my staff.

Thank you for your consideration.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

March 16, 2005

*The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol
Sacramento, California*

Dear Speaker Núñez: This is to request that I be excused from session for legislative business for Thursday, March 17.

Thank you in advance for your favorable consideration of this request.

Sincerely,

DENNIS MOUNTJOY, Assembly Member
Fifty-ninth District

March 11, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez: I am writing to request an excused absence for March 17, 2005. I will be in my district on legislative business attending several meeting and events. Further, I also have an imperative doctor's appointment.

Should you have any questions regarding this request, please contact Aaron Bone in my office at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member
 Thirty-sixth District

March 10, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from floor session on Thursday, March 17, 2005. I will be in my district conducting legislative business and participating in our two-day staff retreat. My presence is imperative in order to conduct a successful staff retreat.

Thank you for your consideration.

Sincerely,

LORI SALDAÑA, Assembly Member
 Seventy-sixth District

REPORTS

The following reports were presented by the Chief Clerk:

Semi-Annual Report Outlining the Progress of Acquisition, Design, Equipping, Construction, Establishment, and Expansion of the Veterans Homes Specified in Government Code Section 15819.60 (Pursuant to Military and Veterans Code Section 1104.2(e))

Above transmitted report, together with letter of transmittal from Tom Johnson, FACHE, Secretary, Department of Veterans Affairs, dated March 1, 2005, referred by the Speaker to the Committee on Veterans Affairs.

Commercial Vehicle Registration Act of 2001 Report (Pursuant to Senate Bill 2084, Chapter 861, Statutes of 2000 and Assembly Bill 1472, Chapter 826, Statutes of 2001)

Above transmitted report, together with letter of transmittal from Joan M. Borucki, Director, Department of Motor Vehicles, dated March 10, 2005, referred by the Speaker to the Committee on Transportation.

**Financial Statements for the Year Ended December 31, 2004
(Prepared from Books Without Audit)
(Pursuant to Government Code Section 8880.22)**

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Director, Finance and Administration Division, California Lottery, dated March 14, 2005, referred by the Speaker to the Committee on Governmental Organization.

**Franchise Tax Board Supplemental Reports on
Audit and Collections Activities, Fiscal Years 2004–05 and 2005–06 and
Docketed Protest Case Inventory—As of November 30, 2004
(Pursuant to Supplemental Language of the Budget Acts of 1999 and 2001)**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated March 4, 2005, referred by the Speaker to the Committee on Revenue and Taxation.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 17, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 31

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, March 17, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 12

Assembly Bill No. 304

Assembly Bill No. 253

Assembly Bill No. 319

Assembly Bill No. 294

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Cohn, Lieber and Mullin were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Select Committee on Hate Crimes, on Saturday, March 26, 2005, at 10:30 a.m.;

Select Committee on the Los Angeles County Health Care Crisis, on Friday, April 1, 2005, in Los Angeles.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 167 from the Committee on Public Safety to the Committee on Health;

Assembly Bill No. 204 from the Committee on Insurance to the Committee on Judiciary.

RECESS

By unanimous consent, at 9:41 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

**At 9:42 a.m., Assistant Speaker pro Tempore Sally Lieber,
22nd District, presiding**

Assembly Member Cohn introduced and then presented a resolution to JW Knapen. Sixteen-year-old JW has struggled with cancer for much of his life and is currently fighting an inoperable brain tumor. He and Dr. Alan Wong are working together to create the “JW House” a place where the families of Kaiser cancer patients may stay to be close by during the patients’ lengthy cancer treatments.

JW was accompanied by Anne Marie Knapen and Geert Knapen, his parents; Helena, Elisabeth, and Alexander, his siblings; Dr. Alan Wong; Charles Koch, Kaiser Vice President and Area Manager; Noella Tabladillo, Kaiser Community and Government Relations Manager; and Barbara Mount and Helen Owens, of the JW House Fund.

RECONVENED

At 9:44 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 275—An act to amend Section 11703 of the Health and Safety Code, relating to controlled substances.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY CONCURRENT RESOLUTION NO. 1—Relative to Proposition 71 the California Stem Cell Research and Cures Initiative.

Resolution read; amendments proposed by the Committee on Health read and adopted; resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 19 (Mullin)—Relative to Irish-American Heritage Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 19**

Assembly Member Mullin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 19.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, DeVore, Dymally, Evans, Frommer, Garcia, Goldberg, Shirley Horton, Houston, Huff, Jones, Karnette, Klehs, Koretz, La Malfa, Laird, Leno, Leslie, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Nation, Nava, Negrete McLeod, Niello, Núñez, Parra, Plescia, Richman, Ridley-Thomas, Ruskin, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Mullin was granted unanimous consent to take up Assembly Concurrent Resolution No. 19, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 19, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 19—Relative to Irish-American Heritage Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate immediately.

RECESS

By unanimous consent, at 9:50 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Mullin introduced dancers from the Kennelly School of Irish Dance who then performed for the Assembly.

RECONVENED

At 10 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

HOUSE RESOLUTION NO. 9 (Frommer)—Relative to Colorectal Cancer Awareness Month.

Resolution read.

Members Made Coauthors of House Resolution No. 9

Assembly Member Frommer was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 9.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Berg, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, De La Torre, DeVore, Evans, Garcia, Goldberg, Jerome Horton, Houston, Karnette, Keene, Klehs, La Malfa, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, McCarthy, Montañez, Nation, Nava, Negrete McLeod, Núñez, Parra, Plescia, Richman, Ridley-Thomas, Ruskin, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Frommer was granted unanimous consent to take up House Resolution No. 9, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 9, as Amended

HOUSE RESOLUTION NO. 9—Relative to Colorectal Cancer Awareness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed.

BILLS REMOVED FROM CONSENT CALENDAR

The following resolution was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Concurrent Resolution No. 31, on request of Assembly Member Frommer.

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 CONCURRENT RESOLUTION NO. 25 (Benoit)—Relative to Rotary International Day.

Resolution read, and adopted by the following vote:

AYES—69

Aghazarian	De La Torre	Laird	Ridley-Thomas
Arambula	DeVore	Leno	Ruskin
Baca	Dymally	Leslie	Salinas
Bass	Evans	Levine	Spitzer
Benoit	Frommer	Lieber	Strickland
Berg	Garcia	Liu	Torrico
Bermúdez	Goldberg	Matthews	Tran
Blakeslee	Haynes	Maze	Umberg
Bogh	Horton, Jerome	McCarthy	Vargas
Calderon	Horton, Shirley	Montañez	Villines
Canciamilla	Houston	Mullin	Walters
Chan	Huff	Nation	Wolk
Chavez	Jones	Nava	Wyland
Chu	Karnette	Negrete McLeod	Yee
Cogdill	Keene	Niello	Mr. Speaker
Cohn	Klehns	Parra	
Coto	Koretz	Plescia	
Daucher	La Malfa	Richman	

NOES—None

Resolution ordered transmitted to the Senate.

ADJOURN IN MEMORY

Moment of Silence

Assembly Member Cohn was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pam Butler, of Santa Clara, and that the Assembly observe a moment of silence in her honor.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Justice Robert K. Puglia, of Carmichael.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ulishous J. Davis, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jack Phillips, of Industry and Boy Jin Wong, of West Covina.

Assembly Members Jones and Chu were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bernice Archibald, of Sacramento.

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jennifer Choppin Fitzgerald and Bill Grabinski, of Long Beach.

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 Al Schwartz, of Carnelian Bay.

Assembly Member Lieber was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Lou Zoglin, of Mountain View.

Assembly Member Montañez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Socorro Montañez Carillo, of Alhambra.

Assembly Member Parra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ryan “R.J.” Horner, Jr., of Lemoore.

Assembly Member Richman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ray Martin, of Granada Hills.

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 Freda Dachtler and Mark S. Taylor, of Davis; Alice Janet Smith, Norine Mary Stemmler, Ronald Tomes, and Everett Williams, of Fairfield; Robert Kilowatt Constantine, Wayne C. Henderson, Stephen Thomas Guzzo, and Mary Annette Monday, of Vacaville; Jeff Bloom, Emanuel Pete Mehler, and Frank A. Styler, of West Sacramento; Hylida N. Madigan and SueDea Cummins Morris, of Woodland.

POINT OF PERSONAL PRIVILEGE

Assembly Member Haynes arose to a point of personal privilege.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record her vote on the following item:

Consent Calendar: Montañez—Aye.

MOTION TO ADJOURN

At 10:14 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:15 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly**Bill No.**Committee*

83	-----	Health
290	-----	E.S. & T.M.
293	-----	B. & P.
331	-----	B. & P. and Pub. S.
459	-----	B. & F. and L. Gov.
472	-----	Hum. S.
507	-----	B. & P.
546	-----	B. & P.
594	-----	B. & P.
595	-----	B. & P. and Health
598	-----	Health and Jud.
602	-----	B. & P.
617	-----	Hum. S. and Jud.
619	-----	Jud. and H. & C.D.
622	-----	Health and Ed.
623	-----	L. Gov.
707	-----	Ed.
709	-----	E. & R.
712	-----	L. Gov. and H. & C.D.
722	-----	Rev. & Tax.
739	-----	E. & R.
748	-----	U. & C.
762	-----	B. & P.
763	-----	L. Gov.
770	-----	H. & C.D.
781	-----	H. & C.D.
793	-----	Ins.
799	-----	L. Gov. and Rev. & Tax.
802	-----	L. Gov. and W.,P. & W.
806	-----	Pub. S.
807	-----	Pub. S.
808	-----	Pub. S.
811	-----	Health and Hum. S.
812	-----	Hum. S. and Health
815	-----	L. & E.
823	-----	V.A.
830	-----	J., E.D. & E. and Rev. & Tax.
842	-----	Hum. S.
848	-----	W.,P. & W. and Nat. Res.
857	-----	Trans.
865	-----	B. & F.
876	-----	E. & R.
878	-----	Jud.
884	-----	P.E.,R. & S.S.
900	-----	Pub. S.

910	J., E.D. & E.
913	Trans.
914	Trans.
916	Pub. S.
919	L. Gov.
920	B. & P.
923	G.O.
936	Nat. Res.
938	E. & R.
943	Hum. S.
948	Trans. and B. & P.
962	U. & C.
964	Rev. & Tax.
978	Jud.
993	U. & C. and Nat. Res.
1009	U. & C.
1013	E. & R. and L. Gov.
1030	Rev. & Tax.
1036	Pub. S.
1052	Trans.
1067	Trans.
1086	W.,P. & W.
1099	Rev. & Tax.
1125	E.S. & T.M.
1128	W.,P. & W. and E. & R.
1131	Health
1138	P.E.,R. & S.S.
1143	B. & P.
1155	Health
1156	Nat. Res.
1163	B. & P.
1165	Nat. Res. and U. & C.
1168	E.S. & T.M.
1183	Ins. and Pub. S.
1187	Health and B. & P.
1188	Pub. S.
1193	Nat. Res. and A.,E.,S.,T. & I.M.
1209	Jud.
1226	Ins.
1227	L. Gov. and H. & C.D.
1233	L. Gov. and H. & C.D.
1234	L. Gov.
1244	W.,P. & W. and G.O.
1245	W.,P. & W.
1248	L. Gov.
1256	B. & P.
1265	H. & C.D.
1267	Pub. S.
1268	B. & P.
1269	Nat. Res. and E.S. & T.M.
1272	Nat. Res.
1278	Health and Jud.
1279	E.S. & T.M.
1292	Ed.

1295	-----	G.O.
1296	-----	Nat. Res.
1334	-----	B. & P.
1340	-----	E.S. & T.M.
1341	-----	E.S. & T.M.
1349	-----	Health and Pub. S.
1352	-----	L. Gov. and H. & C.D.
1353	-----	Trans. and Pub. S.
1356	-----	Nat. Res.
1357	-----	B. & P.
1359	-----	Health
1362	-----	U. & C. and Nat. Res.
1374	-----	B. & P.
1386	-----	B. & P. and Health
1389	-----	Pub. S.
1391	-----	E. & R.
1404	-----	Ed.
1413	-----	Trans.
1426	-----	Pub. S.
1448	-----	L. Gov.
1450	-----	L. Gov. and H. & C.D.
1458	-----	U. & C.
1460	-----	L. Gov.
1465	-----	B. & P.
1468	-----	Ed. and Higher Ed.
1469	-----	H. & C.D.
1470	-----	Pub. S.
1471	-----	Nat. Res.
1473	-----	B. & P.
1474	-----	Trans.
1475	-----	Trans.
1479	-----	H. & C.D.
1481	-----	Health
1482	-----	Ed.
1483	-----	Ed.
1484	-----	Pub. S.
1485	-----	Health
1487	-----	W.,P. & W.
1488	-----	Rev. & Tax.
1491	-----	H. & C.D. and L. Gov.
1492	-----	Ed.
1494	-----	G.O.
1495	-----	Jud.
1496	-----	Ed.
1497	-----	J., E.D. & E.
1499	-----	G.O.
1500	-----	L. & E.
1501	-----	Pub. S.
1503	-----	Ed.
1514	-----	L. & E.
1549	-----	Ins.
1560	-----	B. & F.
1562	-----	J., E.D. & E.
1564	-----	J., E.D. & E.

1565 ----- Hum. S.
 1566 ----- Pub. S.
 1567 ----- P.E.,R. & S.S.
 1573 ----- Rev. & Tax.
 1576 ----- U. & C.
 1578 ----- Ed.
 1584 ----- L. & E.
 1585 ----- U. & C. and Nat. Res.
 1589 ----- Rev. & Tax.
 1590 ----- L. Gov.
 1591 ----- Health
 1592 ----- Ed.
 1594 ----- V.A.
 1596 ----- L. Gov.
 1599 ----- L. Gov.
 1601 ----- Hum. S.
 1603 ----- Pub. S.
 1604 ----- Higher Ed.
 1608 ----- Ed.
 1609 ----- Ed.
 1610 ----- Ed.
 1614 ----- Rev. & Tax.
 1615 ----- Rev. & Tax.
 1618 ----- Rev. & Tax.
 1619 ----- Ins.
 1621 ----- U. & C. and Trans.
 1622 ----- Jud.
 1626 ----- L. & E.
 1627 ----- Trans.
 1628 ----- Rev. & Tax.
 1630 ----- Rev. & Tax.
 1631 ----- Rev. & Tax.
 1637 ----- Trans.
 1640 ----- Ins.
 1644 ----- Rev. & Tax.
 1647 ----- Pub. S.
 1648 ----- Health
 1649 ----- Trans.

Assembly Concurrent

Resolution No.

Committee

38 ----- Jud.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1762—Committee on Veterans Affairs (Gordon (Chair), DeVore (Vice Chair), Chavez, Evans, Oropeza, Plescia, and Saldana). An act to amend Section 13998.3 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 1763—Committee on Natural Resources (Hancock (Chair), La Malfa (Vice Chair), Gordon, Koretz, Saldana, and Wolk). An act to amend Sections 14574 and 14575 of the Public Resources Code, relating to beverage containers.

ASSEMBLY BILL NO. 1764—Committee on Natural Resources (Hancock (Chair), La Malfa (Vice Chair), Gordon, Koretz, Saldana, and Wolk). An act to amend Section 14581 of the Public Resources Code, relating to beverage containers, making an appropriation therefor.

ASSEMBLY BILL NO. 1765—Committee on Revenue and Taxation (Klehs (Chair), Canciamilla, DeVore, Jones, and Lieber). An act to amend Section 16302.1 of the Government Code, and to amend Sections 6479.3, 7659.9, 8760, 9405, 9407, 9411, 9420, 9432, 30180, 30190, 30283, 32260, 40067, 41060, 43170, 45160, 46160, 50112.7, 55050, 60043, 60250, and 60603 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1766—Committee on Revenue and Taxation (Klehs (Chair), Walters (Vice Chair), Canciamilla, DeVore, Jones, and Lieber). An act to amend Section 17052.6 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1767—Committee on Revenue and Taxation (Klehs (Chair), Canciamilla, Jones, and Lieber). An act to amend Sections 18670, 19950, and 21018 of, and to add Section 19136.7 to, the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1768—Committee on Public Safety (Leno (Chair), Dymally, Goldberg, and Ruskin). An act to add Chapter 6 (commencing with Section 13974.5) to Part 4 of Division 3 of Title 2 of the Government Code, relating to victims of crime, and making an appropriation therefor, to take effect immediately.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 41—Negrete McLeod and Bermudez (Principal coauthors: Chan, Cogdill, Cohn, Evans, Leno, Matthews, McCarthy, Parra, Tran, Wolk, and Yee). Relative to California Peace Officers' Memorial Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 42—Chu. Relative to the Province of Cheju, Republic of Korea.

ASSEMBLY JOINT RESOLUTION NO. 11—Chan. Relative to Social Security.

ASSEMBLY JOINT RESOLUTION NO. 12—Gordon. Relative to military base retention.

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

March 17, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 359

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 359—An act to add Section 5006.9 to the Public Resources Code, relating to 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.

AUTHOR'S AMENDMENTS
Committee on Human Services

March 17, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 379

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 379—An act to amend Section 11322.8 of the Welfare and Institutions Code, relating to public social services, 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 Housing and Community Development

March 17, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 396

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 396—An act to amend Section 65863.7 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 Public Safety

March 17, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 98
Assembly Bill No. 376

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 98—An act to amend Sections 7582.2, 7583.12, 7583.37, 7597.1, and 7597.6 of the Business and Professions Code, to amend Sections 171b, 171.5, 626.9, 12001, 12026, 12026.1, 12026.2, 12027, 12027.1, 12031, 12034, 12073, 12078, 12316, and 12807 of, and to repeal and add Section 12025 of, the Penal Code, and to amend Section 10334 of the Public Contract Code, relating to firearms.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 376—An act to add Section 148.8 to the Penal Code, relating to false reports.

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 Environmental Safety and Toxic Materials

March 17, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 371

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 371—An act to amend Sections 5410 and 5415 of the Health and Safety Code, and to amend Sections 13260 and 13523 of, and to add Sections 13552.1, 13552.5, and 13557 to, the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Health

March 17, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 73

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 73—An act to add Section 14982 to the Government Code, and to add Article 5 (commencing with Section 110242) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

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 Employees, Retirement and Social Security

March 17, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 310

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 310—An act to add Section 21354.2 to the Government Code, relating to public employees' retirement.

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

March 17, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 383

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 383—An act to amend Section 44062.1 of the Health and Safety Code, relating to air pollution.

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

March 17, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 293

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 293—An act to amend Section 7195 of the Business and Professions Code, relating to home inspections.

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

March 17, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:
Assembly Concurrent Resolution No. 17

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 17—Relative to language education.

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 Housing and Community Development

March 17, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 197
Assembly Bill No. 394

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 197—An act to add Section 798.80.5 of the Civil Code, relating to mobilehomes.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 394—An act to add Section 12956.2 to the Government Code, relating to housing.

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 Environmental Safety and Toxic Materials

March 17, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 290

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 290—An act to amend Section 116550 of the Health and Safety Code, relating to public water systems.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Health

March 17, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 83

Assembly Bill No. 360

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 83—An act relating to swimming pools.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 360—An act to amend Sections 1324.20 and 1324.27 of the Health and Safety Code, and to amend Section 14126.02 of the Welfare and Institutions Code, relating to skilled nursing 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 Education

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Education reports:
Assembly Bill No. 15

With the recommendation: Do pass.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Banking and Finance

Date of Hearing: March 14, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:
Assembly Bill No. 279

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CALDERON, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 272

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.

LENO, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: March 17, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Joint Resolution No. 6

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.

Date of Hearing: March 17, 2005

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 26

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, March 17, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 156

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, March 17, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 49

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, March 17, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 31

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. 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.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 31—Relative to the Joint Committee on the Master Plan for Education.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 17, 2005

*The Honorable Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Assembly Chamber*

Dear Mr. Wilson: I hereby give notice to your honorable house that the Senate this day confirmed the Governor's nominee, Bruce A. McPherson, to the office of Secretary of State.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

ADJOURNMENT

At 3 p.m., pursuant to the provisions of Joint Rule 51 and the motion by Assembly Member Frommer, the Assembly adjourned for the 2005 Spring Recess, until 12 p.m., Tuesday, March 29, 2005, out of respect to the memory of Pam Butler, on motion of Assembly Member Cohn; out of respect to the memory of Justice Robert K. Puglia, on motion of Assembly Member Leslie; out of respect to the memory of Ulishous J. Davis, on motion of Assembly Member Dymally; out of respect to the memory of Jack Phillips and Boy Jin Wong, on motion of Assembly Member Chavez; out of respect to the memory of Bernice Archibald, on motion of Assembly Members Jones and Chu; out of respect to the memory of Jennifer Choppin Fitzgerald and Bill Grabinski, on motion of Assembly Member Karnette; out of respect to the memory of Al Schwartz, on motion of Assembly Member Leslie; out of respect to the memory of Mary Lou Zoglin, on motion of Assembly Member Lieber; out of respect to the memory of Socorro Montañez Carillo, on motion of Assembly Member Montañez; out of respect to the memory of Ryan "R.J." Horner, Jr., on motion of Assembly Member Parra; out of respect to the memory of Ray Martin, on motion of Assembly Member Richman; and out of respect to the memory of Freda Dachtler, Mark S. Taylor, Alice Janet Smith, Norine Mary Stemmler, Ronald Tomes, Everett Williams, Robert Kilowatt Constantine, Wayne C. Henderson, Stephen Thomas Guzzo, Mary Annette Monday, Jeff Bloom, Emanuel Pete Mehler, Frank A. Styler, Hylda N. Madigan, and SueDea Cummins Morris, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 17, 2005**

The following measures were amended in the Assembly on this day:

AB RN

73	0509607
83	0508519
98	0509328
197	0509594
275	0509372
290	0508892
293	0509341
310	0509521
359	0509458
360	0509602
371	0508897
376	0509298
379	0509399
383	0509000
394	0509491
396	0509272

ACR RN

1	0509614
17	0509482

Daily Total: 18

Cumulative Total: 110

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 29, 2005

FORTY-FOURTH SESSION DAY

ONE HUNDRED FOURTEENTH 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, March 29, 2005

The Assembly met at 12:01 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Emmerson moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:06 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	Emmerson	Leno	Ridley-Thomas
Arambula	Evans	Leslie	Runner
Baca	Frommer	Levine	Ruskin
Bass	Garcia	Lieber	Saldaña
Benoit	Goldberg	Liu	Salinas
Berg	Hancock	Matthews	Spitzer
Bermúdez	Harman	Maze	Strickland
Blakeslee	Haynes	McCarthy	Torrico
Bogh	Horton, Jerome	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	La Suer	Plescía	
Dymally	Laird	Richman	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, We ask that You help us to put You first in all that we do. The psalmist says, "Some trust in their war chariots and others in their horses, but we trust in the power of the Lord our God." Father bless us in a special way today, so that we can be a blessing to others.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Emmerson then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Laird, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Canciamilla and Montañez.

Because of illness: Assembly Member Gordon.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 18, 2005

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Critical Issues:

- Assemblymember Karen Bass
- Assemblymember Judy Chu
- Assemblymember Joe Coto
- Assemblymember Sally Lieber
- Assemblymember Audra Strickland
- Assemblymember Van Tran

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 21, 2005

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Gary J. Goldberg
to California Climate Action Registry, Board of Directors

Dear Mr. Wilson: Please be advised I have appointed Mr. Gary J. Goldberg to the California Climate Action Registry, Board of Directors. This is a pleasure appointment starting March 21, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 21, 2005

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Shannon Glavaz
to California Commission on Aging

Dear Mr. Wilson: Please be advised I have appointed Ms. Shannon Glavaz to the California Commission on Aging. This is a term appointment starting March 21, 2005 and the expiration date is March 20, 2008.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 21, 2005

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Re-appointment of Jacquelyn Dupont-Walker
to California Housing Partnership Corporation
Board of Directors

Dear Mr. Wilson: Please be advised I have appointed Ms. Jacquelyn Dupont-Walker to the California Housing Partnership Corporation Board of Directors. This is a term appointment starting March 21, 2005 and the expiration date is January 1, 2008.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 29, 2005

*Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Joe Coto
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Joe Coto to the State Allocation Board for March 30, 2005 only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 16, 2005

*The Honorable Cindy Montañez, Chair
Joint Rules Committee
State Capitol, Room 3016
Sacramento, California*

Dear Assemblymember Montañez: The Senate Rules Committee has appointed the following Senate members to serve on the Joint Committee on the Arts for the 2005–06 Session: Senators Ashburn, Battin, Kehoe, Kuehl, Maldonado and Scott. The Rules Committee is recommending that Senator Scott be appointed to serve as Chair.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

REPORTS

The following letters of transmittal were presented by the Chief Clerk, and ordered printed in the Journal:

California State Auditor

2004-001
March 18, 2005

*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: The Bureau of State Audits presents its Independent Auditor’s Report on the State of California’s basic financial statements for the fiscal year ended June 30, 2004. These financial statements are presented on a basis in conformity with generally accepted accounting principals (GAAP). The financial statements show that the State’s General Fund had revenues and other financing sources that were approximately \$11.8 billion more than expenditures and other financing uses, which resulted in a decrease of the fund deficit from about \$13.3 billion as of June 30, 2003, to

\$1.5 billion as of June 30, 2004. Although revenues exceeded expenditures in the General Fund by about \$1 billion, the decrease in the fund deficit was primarily due to transfers of Economic Recovery Bond proceeds to the General Fund. The GAAP basis government-wide statements include all liabilities owed by the State while the budgetary basis statements that are used to report on the State's budget do not reflect all liabilities.

We conducted the audit to comply with the California Government Code, Section 8546.4.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Business and Professions.

California State Auditor

Investigative Report I2005-1
March 22, 2005

*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: Pursuant to the California Whistleblower Protection Act, the Bureau of State Audits presents its investigative report summarizing investigations of improper governmental activity completed from July 2004 through December 2004.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Business and Professions.

California State Auditor

2004-002
March 23, 2005

*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 required by California Government Code, Section 8542 et seq., the Bureau of State Audits presents its audit report concerning our review of the State of California's internal controls and compliance with state and federal laws and regulations for the year ended June 30, 2004.

This report concludes that the State continues to experience certain problems in accounting and administrative practices that affect its internal controls over financial reporting and over compliance with federal requirements. Due to inadequacies in the accounting records for the Crime Victim Assistance program, we were unable to obtain sufficient documentation to determine whether the State adequately complied with the relevant federal requirements. For the remaining programs we reviewed, we found that although the State has not always

complied with some state and federal regulations, none of the problems we noted in these other programs are significant to the State's financial statements or the federal programs it administers. Nonetheless, weaknesses in the State's internal control system could adversely affect its ability to provide accurate financial information and to administer federal programs in compliance with applicable requirements.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Rules.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 22, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 156

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of March, 2005, at 12:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, March 29, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 275

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 29, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 15

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, March 29, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 73

Assembly Bill No. 83

Assembly Bill No. 98

Assembly Bill No. 197

Assembly Bill No. 290

Assembly Bill No. 293

Assembly Bill No. 310

Assembly Bill No. 359

Assembly Bill No. 360

Assembly Bill No. 371

Assembly Bill No. 376

Assembly Bill No. 379

Assembly Bill No. 383

Assembly Bill No. 394

Assembly Bill No. 396

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 29, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 17

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Hancock and La Malfa were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred from the Committee on Human Services as noted:

Assembly Bills Nos. 927 and 1032, to the Committee on Education.

SPECIAL COMMITTEE MEETINGS

Assembly Member Frommer was granted unanimous consent that the Committee on Rules be permitted to hold a special meeting on Wednesday, March 30, 2005, at 10:30 a.m., in the Tom Bane Rules Committee Room, for the purpose of setting their regular order of business, and that Joint Rule 62(a) be waived for the purpose of continuing their review of the Governor's nomination to the Office of Secretary of State.

BILLS REMOVED FROM CONSENT CALENDAR

The following resolution was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Joint Resolution No. 6, on request of Assembly Member Frommer.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Evans was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at her desk in the Assembly Chamber, whereupon she introduced her daughter, Rachel Fudem.

Assembly Member Houston 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, Sumner Houston.

RECESS

By unanimous consent, at 12:15 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of a special guest.

Assembly Members Hancock and La Malfa introduced and then presented a resolution to California Department of Forestry and Fire Protection Director Dale Geldert extending congratulations on the Department of Forestry and Fire Protection's centennial anniversary.

RECONVENED

At 12:16 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE**ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 275, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 15—An act to amend Section 51221.4 of the Education Code, relating to curriculum.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 279—An act to amend Section 16430 of the Government Code, relating to state investments.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 272—An act to amend Section 830.1 of the Penal Code, relating to peace officers.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 31 (Coto)—Relative to Financial Empowerment Month.

Resolution read.

Members Made Coauthors of Assembly Concurrent Resolution No. 31

Assembly Member Coto was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 31.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Chan, Chavez, Chu, Cogdill, Cohn, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnation, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, McCarthy, Mountjoy, Mullin, Nakanishi, Nava, Negrete McLeod, Núñez, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Coto was granted unanimous consent to take up Assembly Concurrent Resolution No. 31, as amended, without reference to print or file and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 31, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 31—Relative to Financial Empowerment Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:
Wednesday, March 30, 2005, Check-in Session, 7 a.m.–3 p.m. and Floor Session, upon Call of the Speaker.

Thursday, March 31, 2005, Floor Session, at 9 a.m.

ADJOURN IN HONOR

Assembly Member Cogdill was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Nathaniel Guerrero, born on March 28, 2005 to Willie and Erin Guerrero of Sacramento.

ADJOURN IN MEMORY

Assembly Members Coto and Garcia were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lalo Guerrero, of Rancho Mirage.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Liu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Henrietta Villaescusa, of Arcadia.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Nava was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kenneth Dean Helms, of Ventura.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Emmerson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jennifer Brooks, of Yucaipa.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Renora Bell, of Ohio, mother of Charles Bell, former Assembly Chief Sergeant-at-Arms (1983 to 1995) and Charles William Wilkes, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Jerome E. Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Ardie Ivie, Jr., of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Italo "Max" Podesto, of Stockton.

Assembly Member Chan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Muriel Collier, of Oakland.

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 Pete Rey, of Vallejo.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Samuel Weinstein, of Culver City.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marion Goodman, of Lafayette.

Assembly Member Leno was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Guadalupe Ramirez, of San Francisco.

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mai Nguyen Den, of Long Beach.

Assembly Members Nation and Evans were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard "Dick" Godwin, of San Rafael.

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 Edward Day, of Mission Viejo.

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Todd Norton, of Thousand Oaks.

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 Mickey Barlow and Larry Garrett, of Davis; Hideo Nishimura, of Dixon; Gail Marie Strong, of Vacaville; and Louise Hollingsworth Zane, of Woodland.

SPECIAL RECOGNITION

The Members of the Assembly joined Assembly Member Frommer in extending best wishes to Assembly Member Laird on the occasion of his birthday.

MOTION TO ADJOURN

At 12:35 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:36 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 43—Jerome Horton and Koretz. Relative to labor.

ASSEMBLY CONCURRENT RESOLUTION NO. 44—Baca. Relative to Minority Health Awareness Month.

ASSEMBLY JOINT RESOLUTION NO. 13—Torrico. Relative to Social Security.

ASSEMBLY JOINT RESOLUTION NO. 14—Yee. Relative to offshore oil drilling.

ASSEMBLY JOINT RESOLUTION NO. 15—Baca. Relative to the patent of Maglite flashlights.

ASSEMBLY JOINT RESOLUTION NO. 16—Baca. Relative to fair and equitable treatment for truck and bus drivers.

AUTHOR'S AMENDMENTS
Committee on Agriculture

March 29, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
 Assembly Bill No. 85

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 85—An act to amend Sections 48000, 48001, and 48002 of, and to repeal Section 48002.5 of, the Food and Agricultural Code, relating to citrus fruit crops, 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 Environmental Safety and Toxic Materials

March 29, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 405

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 405—An act to amend Sections 17609 and 17610.5 of, and to add Sections 17610.1 and 17610.2 to, the Education Code, relating to schoolsites.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
 Assembly Bill No. 424

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 424—An act to amend Sections 530.6 and 530.8 of the Penal Code, relating to 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 Insurance

March 29, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 427

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 427—An act to add Section 4453.1 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 Higher Education

March 29, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 473

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 473—An act to amend Sections 76300 and 76370 of the Education Code, relating to community colleges.

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 Environmental Safety and Toxic Materials

March 29, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 495

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 495—An act relating to water.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR’S AMENDMENTS
Committee on Business and Professions

March 29, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 592

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 592—An act to amend Section 2234.1 of the Business and Professions Code, relating to healing arts.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 633

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 633—An act to amend Sections 1596.859, 1596.8595, 1596.8895, and 1597.05 of the Health and Safety Code, relating to child day 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.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

March 29, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 641
Assembly Bill No. 665

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 641—An act to amend Section 11226 of the Business and Professions Code, relating to real estate.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 665—An act to amend Section 51032 of the Government Code, relating to massage.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 796

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 796—An act to amend Section 18339 of the Education Code, relating to library 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 Education**

March 29, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 950
Assembly Bill No. 1253

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 950—An act to amend Section 42239 of, and to add and repeal Article 5 (commencing with Section 37260) of Chapter 2 of Part 22 of the Education Code, relating to instruction.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1253—An act to add Section 51225 to the Education Code, relating to public education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife**

March 29, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 647

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 647—An act to amend Section 2118 of the Fish and Game Code, and to amend Section 121790 of the Health and Safety Code, relating to wild animals.

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**

March 29, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 375

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 375—An act to amend Section 21080 of the Public Resources Code, relating to environmental quality.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

March 29, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 1239

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 1239—An act to add Section 14005.42 to the Welfare and Institutions 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 Revenue and Taxation

March 29, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 343

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 343—An act to add Section 7284.5 to 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 Agriculture

March 29, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 365

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 365—An act to to amend Section 51201 of the Government Code, relating to agricultural lands.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 454
Assembly Bill No. 635
Assembly Bill No. 834

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 454—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 635—An act to amend Section 19877 of the Business and Professions Code, relating to gambling.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 834—An act to amend Section 19549.6 of 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 Higher Education

March 29, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 828
Assembly Bill No. 870

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 828—An act to amend Section 66025.3 of the Education Code, relating to public postsecondary education.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 870—An act to amend Section 66025 of the Education Code, relating to public postsecondary education, 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 Local Government

March 29, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 991

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 991—An act to amend Sections 2021 and 2022 of the Health and Safety Code, relating to public health.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

March 29, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Joint Resolution No. 7

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY JOINT RESOLUTION NO. 7—Relative to ZIP Codes.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Elections and Redistricting

March 29, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Assembly Bill No. 158

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 158—An act to amend Sections 2035, 2102, 2107, 2119, 2154, 2155, and 2187 of the Elections Code, relating to voter registration.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 404

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 404—An act to amend Section 1810.7 of the Insurance Code, relating to bail licenses.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Judiciary

March 29, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 118

Assembly Bill No. 406

Assembly Bill No. 634

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 118—An act to amend Section 3100 of the Family Code, and to amend Section 136.2 of the Penal Code, relating to protective orders.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 406—An act to add Chapter 6 (commencing with Section 945.6) to Title 7 of Part 2 of Division 2 of the Civil Code, relating to construction defects.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 634—An act to add Part 5 (commencing with Section 600) to Division 3 of the Family Code, relating to international marriage brokers.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 453

Assembly Bill No. 1132

Assembly Bill No. 877

Assembly Bill No. 1281

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 453—An act to amend Sections 2454, 2456, and 2458 of the Streets and Highways Code, relating to transportation.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 877—An act to amend Section 22651 of the Vehicle Code, relating to vehicles.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1132—An act to amend Section 14602.6 of the Vehicle Code, relating to vehicles.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1281—An act to amend Section 11202 of the Vehicle Code, relating to vehicles.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 110
 Assembly Bill No. 443
 Assembly Bill No. 444
 Assembly Bill No. 689
 Assembly Bill No. 951

Assembly Bill No. 952
 Assembly Bill No. 1181
 Assembly Bill No. 1246
 Assembly Bill No. 1404

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 110—An act relating to public education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 443—An act to amend Section 48931 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.

ASSEMBLY BILL NO. 444—An act to amend Section 49531.1 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.

ASSEMBLY BILL NO. 689—An act to add Sections 51210.6 and 51210.8 to the Education Code, relating to curriculum.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 951—An act to amend Section 15146 of the Education Code, relating to school bonds.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 952—An act to amend Section 17463.6 of the Education Code, relating to public schools.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1181—An act to add Section 49605 to the Education Code, relating to educational counseling.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1246—An act to amend Section 51421 of the Education Code, relating to high school equivalency certificates.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1404—An act to amend Section 82011 of the Government Code, relating to conflicts of interest.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 179

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 179—An act to add Section 1569.889 to the Health and Safety Code, relating to residential care facilities for the elderly.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 298
Assembly Bill No. 1630

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 298—An act to amend Section 17053.80 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.

ASSEMBLY BILL NO. 1630—An act to amend Sections 18622 and 19057 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 Human Services

March 29, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 363

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 363—An act to amend Section 10601.2 of the Welfare and Institutions Code, relating to public social services.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

March 29, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 21

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 21—An act to add Section 4069 to the Business and Professions Code, relating to pharmacy.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 794

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 794—An act to amend Section 6254 of the Government Code, relating to public records.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 223

Assembly Bill No. 588

Assembly Bill No. 295

Assembly Bill No. 595

Assembly Bill No. 524

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 223—An act to amend Section 10170.5 of the Business and Professions Code, relating to real estate.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 295—An act to add Section 10382 to 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.

ASSEMBLY BILL NO. 524—An act to add Section 10170 to 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.

ASSEMBLY BILL NO. 588—An act to add Section 11093.4 to the Government Code, relating to statistical districts.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 595—An act to amend Sections 4037 and 4051 of, to add Section 4019.5 to, to repeal Section 4033 of, and to repeal and add Section 4123 of, the Business and Professions Code, relating to pharmacy.

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 Elections and Redistricting

March 29, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 347

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 347—An act to amend Section 91000 of the Government Code, relating to the Political Reform Act of 1974.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 122

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 122—An act to amend Section 1597.531 of, and to add Section 1596.794 to, the Health and Safety Code, relating to child day care.

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 Judiciary

March 29, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 429
Assembly Bill No. 1236

Assembly Bill No. 1293
Assembly Bill No. 1322

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 429—An act to amend Section 527.8 of the Code of Civil Procedure, to amend Section 6383 of the Family Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to temporary restraining orders and protective orders.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1236—An act to add Chapter 4 (commencing with Section 1630) to Part 5 of Division 4 of the Family Code, relating to marital 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.

ASSEMBLY BILL NO. 1293—An act to amend Section 2025.520 of the Code of Civil Procedure, relating to production of evidence.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1322—An act to amend Section 170.1 of the Code of Civil Procedure, relating to judges.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

March 29, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 8

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 8—An act to amend Section 1367.635 of the Health and Safety Code, and to amend Section 10123.86 of the Insurance Code, relating to health coverage.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 80

Assembly Bill No. 451

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 80—An act to add Section 6377 to 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.

ASSEMBLY BILL NO. 451—An act to amend Sections 7204.03 and 7205 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 Education

March 29, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 741
Assembly Bill No. 831

Assembly Bill No. 1303
Assembly Bill No. 1320

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 741—An act to add Section 51207 to the Education Code, relating to courses of study.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 831—An act to amend Section 49436 of, to amend, repeal, and add Section 52124.5 of, and to repeal Section 32228.6 of, the Education Code, relating to education, 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.

ASSEMBLY BILL NO. 1303—An act to amend Sections 41329.52, 41329.55, 41329.56, and 41329.57 of the Education Code, and to add Section 63049.68 to the Government Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1320—An act to amend Section 48204 of the Education Code, relating to school attendance.

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 Elections and Redistricting

March 29, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 1391

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 1391—An act to amend Sections 82027.5 and 82048.7 of the Government Code, relating to the Political Reform Act of 1974.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 286

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 286—An act to add Section 21100.7 to the Water Code, relating to water, 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 Public Employees, Retirement and Social Security

March 29, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 719

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 719—An act to add Section 31520.12 to the Government Code, relating to county employees' retirement.

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 Higher Education

March 29, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 358

Assembly Bill No. 961

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 358—An act to amend Section 69435 of, and to add Section 69432.3 to, the Education Code, relating to student financial aid.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 961—An act to amend Sections 69980, 69981, 69982, 69983, 69984, 69986, 69989, 69990, 69992, 69993, and 70901.1 of, and to add Section 94103 to, the Education Code, relating to postsecondary education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Public Safety

March 29, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 806

Assembly Bill No. 1036

Assembly Bill No. 807

Assembly Bill No. 1449

Assembly Bill No. 808

Assembly Bill No. 1536

Assembly Bill No. 988

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 806—An act to amend Section 30166 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.

ASSEMBLY BILL NO. 807—An act to amend Section 288 of the Penal Code, relating to crimes.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 808—An act to amend Section 11350 of the Health and Safety Code, relating to controlled substances.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 988—An act to amend Section 186.2 of the Penal Code, relating to criminal profiteering.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1036—An act to amend Section 530.5 of the Penal Code, relating to 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.

ASSEMBLY BILL NO. 1449—An act to add Section 594.2 to the Penal Code, relating to vandalism.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1536—An act to amend Section 831.4 of the Penal Code, relating to peace officer powers.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 264

Assembly Bill No. 430

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 264—An act to add Sections 49413.5 and 49416 to the Education Code, relating to pupil 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.

ASSEMBLY BILL NO. 430—An act to amend Section 44517 of the Education Code, relating to public school administrators.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 191
Assembly Bill No. 526

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 191—An act to amend Sections 1063, 1063.1, and 1063.5 of the Insurance Code, relating to insolvency.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 526—An act to amend Section 11580.2 of the Insurance Code, relating to auto insurance.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 366
Assembly Bill No. 507
Assembly Bill No. 695

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 366—An act to amend Section 809.2 of the Business and Professions Code, relating to professions and vocations.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 507—An act to add Chapter 3.34 (commencing with Section 1596.55) to Division 2 of the Health and Safety Code, and to amend Section 11105 of the Penal Code, relating to criminal history checks.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 695—An act to amend Section 1723 of the Civil Code, relating to retail sales.

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**

March 29, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 476

Assembly Bill No. 1196

Assembly Bill No. 1154

Assembly Bill No. 1409

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 476—An act to amend Sections 13040 and 13041 of the Education Code, relating to California Native Americans, making an appropriation therefor, 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.

ASSEMBLY BILL NO. 1154—An act to amend Section 48205 of, and to repeal Section 46010.1 of, the Education Code, relating to school districts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1196—An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of the Education Code, relating to instructional programs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1409—An act to add Section 60851.2 to the Education Code, relating to academic 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.

**AUTHOR'S AMENDMENTS
Committee on Higher Education**

March 29, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 1088

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 1088—An act to add Section 67385.7 to the Education Code, relating to public postsecondary education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Public Safety**

March 29, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 312

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 312—An act to add Section 1985.8 to the Code of Civil Procedure, relating to medical records.

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 Utilities and Commerce

March 29, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 1411

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 1411—An act to add Section 734.5 to the Public Utilities Code, relating to telephone 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.

AUTHOR'S AMENDMENTS

Committee on Health

March 29, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 522

Assembly Bill No. 813

Assembly Bill No. 591

Assembly Bill No. 1077

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 522—An act to amend Section 1261.6 of the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 591—An act to amend Section 14464.5 of the Welfare and Institutions 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.

ASSEMBLY BILL NO. 813—An act to amend Section 123620 of the Health and Safety Code, relating to fetal ultrasound.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1077—An act to add Section 49452.7 to the Education Code, relating to pupil health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Labor and Employment

March 29, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 1500

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 1500—An act to amend Section 7300.3 of the Labor Code, relating to safety of conveyances.

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 Labor and Employment

March 29, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 805

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 805—An act to add Section 6713 to the Labor Code, relating to occupational safety and health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Aging and Long-Term Care

March 29, 2005

Mr. Speaker: The Chair of your Committee on Aging and Long-Term Care reports:
Assembly Bill No. 230

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERG, Chair

ASSEMBLY BILL NO. 230—An act to amend Sections 9542 and 9545 of the Welfare and Institutions Code, relating to aging.

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

March 29, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:
Senate Concurrent Resolution No. 14

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

SENATE CONCURRENT RESOLUTION NO. 14—Relative to California Space Day.

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 Higher Education

March 29, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Concurrent Resolution No. 22

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 22—Relative to the Charles R. Drew University of Medicine and Science.

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 Transportation

March 29, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 426

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 426—An act to add Section 21655.1 to the Vehicle Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

March 29, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 9

Assembly Bill No. 322

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 9—An act relating to education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 322—An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

Bill read 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 Public Safety

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 281

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 299

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 254

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.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Elections and Redistricting

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 43

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bill ordered to second reading.

Committee on Banking and Finance

Date of Hearing: March 14, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 241

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

CALDERON, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 89

Assembly Bill No. 119

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills ordered to second reading.

Committee on Higher Education

Date of Hearing: March 15, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 165

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bill ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Concurrent Resolution No. 11

With amendments with the recommendation: Amend, be adopted as amended, and be re-referred to the Committee on Appropriations.

TORRICO, Chair

Above resolution ordered to second reading.

Committee on Judiciary

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 238

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.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 541

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 519

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.

MESSAGES FROM THE SENATE

Senate Chamber, March 17, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 32

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, March 29, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 94

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 32—Relative to César Chávez Day.

The following bill was read the first time:

SENATE BILL NO. 94—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Wednesday, March 30, 2005, out of respect to the memory of Lalo Guerrero, on motion of Assembly Members Coto and Garcia; out of respect to the memory of Henrietta Villaescusa, on motion of Assembly Member Liu; out of respect to the memory of Kenneth Dean Helms, on motion of Assembly Member Nava; out of respect to the memory of Jennifer Brooks, on motion of Assembly Member Emmerson; out of respect to the memory of Renora Bell and Charles William Wilkes, on motion of Assembly Member Dymally; out of respect to the memory of Dr. Ardie Ivie, Jr., on motion of Assembly Member Jerome E. Horton; out of respect to the memory of Italo “Max” Podesto, on motion of Assembly Member Aghazarian; out of respect to the memory of Muriel Collier, on motion of Assembly Member Chan; out of respect to the memory of Pete Rey, on motion of Assembly Member Evans; out of respect to the memory of Samuel Weinstein, on motion of Assembly Member Frommer; out of respect to the memory of Marion Goodman, on motion of Assembly Member Hancock; out of respect to the memory of Mai Nguyen Den, on motion of Assembly Member Karnette; out of respect to the memory of Guadalupe Ramirez, on motion of Assembly Member Leno; out of respect to the memory of Richard “Dick” Godwin, on motion of Assembly Members Nation and Evans; out of respect to the memory of Edward Day, on motion of Assembly Member Spitzer; out of respect to the memory of Todd Norton, on motion of Assembly Member Strickland; out of respect to the memory of Mickey Barlow, Larry Garrett, Hideo Nishimura, Gail Marie Strong, and Louise Hollingsworth Zane, on motion of Assembly Member Wolk; and in honor of the birth of Nathaniel Guerrero, on motion of Assembly Member Cogdill.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 29, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
8	0509807	473	0509321
9	0510031	476	0509692
21	0509656	495	0508938
80	0509485	507	0509794
85	0509473	522	0509970
110	0508991	524	0509098
118	0509425	526	0509578
122	0509883	588	0509621
158	0509498	591	0509330
179	0509891	592	0509257
191	0509902	595	0508929
223	0509721	633	0509581
230	0508851	634	0509269
264	0509835	635	0509030
272	0509195	641	0509389
279	0509339	647	0509354
286	0509825	665	0509385
295	0509686	689	0510063
298	0509181	695	0509943
312	0509563	719	0509457
322	0509846	741	0509747
343	0509680	794	0509699
347	0509820	796	0509129
358	0509654	805	0509906
363	0509678	806	0509061
365	0509546	807	0509066
366	0509854	808	0509067
375	0509347	813	0509303
404	0509736	828	0508981
405	0509718	831	0509753
406	0509267	834	0509215
424	0509230	870	0509207
426	0509740	877	0509611
427	0509286	950	0508928
429	0509893	951	0509412
430	0510126	952	0509421
443	0509246	961	0509631
444	0509245	988	0509972
451	0509462	991	0509401
453	0509152	1036	0509212
454	0509402	1077	0509945

AB	RN	AB	RN
1088	0509290	1409	0509900
1132	0509522	1411	0509810
1154	0509989	1449	0508985
1181	0509300	1500	0509093
1196	0509998	1536	0509327
1236	0509205	1630	0509698
1239	0509714		
1246	0509099	ACR	RN
1253	0508931	22	0509997
1281	0509552		
1293	0509409	AJR	RN
1303	0509474	7	0509569
1320	0509748		
1322	0509668	SCR	RN
1391	0509231	14	0509640
1404	0509454		

Daily Total: 107

Cumulative Total: 217

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 30, 2005

FORTY-FIFTH SESSION DAY

ONE HUNDRED FIFTEENTH 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
Wednesday, March 30, 2005

The Assembly met at 1:30 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

At 1:31 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 1:33 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—75:

Aghazarian	Dymally	La Suer	Pavley
Arambula	Emmerson	Laird	Plescia
Baca	Evans	Leno	Ridley-Thomas
Bass	Frommer	Leslie	Runner
Benoit	Garcia	Levine	Ruskin
Berg	Goldberg	Lieber	Saldaña
Bermúdez	Hancock	Liu	Salinas
Blakeslee	Harman	Matthews	Spitzer
Bogh	Haynes	Maze	Torricon
Calderon	Horton, Jerome	McCarthy	Tran
Chan	Horton, Shirley	Montañez	Umberg
Chavez	Houston	Mullin	Vargas
Chu	Huff	Nakanishi	Villines
Cogdill	Jones	Nation	Walters
Cohn	Karnette	Nava	Wolk
Coto	Keene	Negrete McLeod	Wyland
Daucher	Klehs	Niello	Yee
De La Torre	Koretz	Oropeza	Mr. Speaker
DeVore	La Malfa	Parra	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Member Vargas:

Let us pray:

Almighty God, We thank You for another day to work for and with our fellow brothers and sisters. We pray that Almighty God may be with us today to defend us, within us that He may sustain us, before us that He may lead us, behind us that He may protect us, above us that He may bless us and everything that we do.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Salinas then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Richman.

On personal business, and waiving per diem: Assembly Member Canciamilla.

To attend a funeral: Assembly Member Strickland.

Because of illness: Assembly Members Gordon and Mountjoy.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 30, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez: I respectfully request that I be excused from attending session March 30, 2005, to attend to legislative business in my district and return on Thursday morning, March 31, 2005 for legislative session.

Thank you for your consideration in this matter. If you should have any questions, please call Connie in my capitol office any time at 916-319-2038.

Sincerely,

KEITH S. RICHMAN, M.D., Assembly Member
Thirty-eighth District

REPORTS

The following reports were presented by the Chief Clerk:

**Recommendations to Assist in Addressing the
Adverse Environmental Impacts of Agricultural Activities and Operations
(Pursuant to Supplemental Report of the 2004 Budget Act
Item 3940-001-0001)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated March 4, 2005, referred by the Speaker to the Committee on Agriculture.

**Establishment of a Quality Improvement Fee for
Narcotic Treatment Program Providers
(Pursuant to Budget Act 2004, Item 4200-001-0001, Provision 1)**

Above transmitted report, together with letter of transmittal from Kathryn P. Jett, Director, Alcohol and Drug Programs, dated March 15, 2005, referred by the Speaker to the Committee on Health.

**Reports on Penalties Imposed Under SB 527's
Administrative Penalty Program
(Pursuant to Senate Bill 527, Chapter 769, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Catherine Witherspoon, Executive Officer, Air Resources Board, dated March 16, 2005, referred by the Speaker to the Committee on Natural Resources.

**Report on Unauthorized Releases of Hazardous Substances
for Underground Storage Tanks
(Pursuant to Health and Safety Code Section 25295 (b)
Chapter 6.7, Division 20)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated March 17, 2005, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**San Diego Hospice Pilot Project 2004 Report
(Pursuant to Assembly Bill 15, Chapter 1, Statutes of 1989)**

Above transmitted report, together with letter of transmittal from Jan Cetti, President/CEO, San Diego Hospice and Palliative Care, dated March 16, 2005, referred by the Speaker to the Committee on Health.

**California State University 2004–05 Enrollment Report
(Pursuant to Budget Act 2004)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated March 15, 2005, referred by the Speaker to the Committee on Higher Education.

**Preliminary 2004–05 Early Assessment Program Report
(Pursuant to Budget Act 2004)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated March 15, 2005, referred by the Speaker to the Committee on Higher Education.

**Report for Calendar Year 2004 Activities
(Pursuant to Assembly Bill 432, Chapter 900, Statutes of 1992)**

Above transmitted report, together with letter of transmittal from Jerry R. Jolly, Director, Department of Alcoholic Beverage Control, dated March 17, 2005, referred by the Speaker to the Committee on Governmental Organization.

**2002–03 Ethnic/Race/Gender Business Ownership Report and
Minority/Women/Disabled Veteran-Owned Business Enterprise
Ownership Report
(Pursuant to Public Contract Code Sections 10116 and 10115.5 and
Government Code Section 11139.8)**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated March 17, 2005, referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

**Fresno County Department of Community Health
2002–03 Emergency Medical Services (EMS) Fund Report
(Pursuant to Health and Safety Code Section 1798.98(a))**

Above transmitted report, together with letter of transmittal from Brad Maggy, Director, dated March 15, 2005, referred by the Speaker to the Committee on Health.

**Glenn County Department of Finance
Annual Report of Emergency Medical Services Fund
(Pursuant to Health and Safety Code Section 1797.98(a))**

Above transmitted report, together with letter of transmittal from Debbie Newman, Assistant Director of Finance, dated March 21, 2005, referred by the Speaker to the Committee on Health.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
31 -----	J., E.D. & E.
92 -----	Rls.
162 -----	Higher Ed.
181 -----	Rls. and Appr.
248 -----	Jud.
345 -----	L. Gov.
385 -----	Rev. & Tax.
395 -----	Rls.
450 -----	Jud. and A.,E.,S.,T., & I.M.
552 -----	B. & P.
576 -----	Health, Jud., and Appr.
628 -----	Hum. S. and Jud.
636 -----	Rls.
637 -----	Trans.
676 -----	Nat. Res.
701 -----	B. & P.
718 -----	B. & P. and Jud.
720 -----	Higher Ed.
730 -----	B. & F.
732 -----	J., E.D. & E.

733	-----	Jud.
738	-----	E. & R.
753	-----	Trans.
766	-----	A.,E.,S.,T., & I.M. and Jud.
768	-----	B. & F.
769	-----	H. & C.D.
774	-----	Health
776	-----	Pub. S.
786	-----	Higher Ed.
791	-----	H. & C.D.
792	-----	L. Gov. and Pub. S.
800	-----	Health
816	-----	E.S. & T.M. and Jud.
824	-----	Hum. S.
841	-----	E.S. & T.M.
853	-----	Rev. & Tax.
879	-----	L. & E.
882	-----	Ed.
885	-----	B. & F. and Jud.
886	-----	B. & P.
930	-----	Jud.
970	-----	Ed. and Jud.
979	-----	Trans. and Pub. S.
997	-----	L. Gov.
998	-----	Pub. S.
1006	-----	E. & R.
1007	-----	Trans.
1017	-----	E.S. & T.M. and Pub. S.
1020	-----	Trans. and L. Gov.
1044	-----	P.E.,R. & S.S.
1045	-----	Health
1062	-----	Health and Jud.
1064	-----	H. & C.D.
1068	-----	Jud.
1070	-----	Higher Ed.
1074	-----	Hum. S. and Jud.
1083	-----	E.S. & T.M.
1084	-----	Ins.
1087	-----	Trans.
1090	-----	Nat. Res. and U. & C.
1091	-----	Health
1094	-----	L. Gov.
1101	-----	Trans.
1123	-----	Ins.
1127	-----	Pub. S.
1129	-----	E. & R.
1134	-----	L. Gov.
1135	-----	L. Gov.
1139	-----	J., E.D. & E. and Jud.
1144	-----	Health
1161	-----	B. & F.
1179	-----	Hum. S.
1194	-----	A.,E.,S.,T., & I.M.
1198	-----	Jud.

1202	V.A.
1230	Health
1235	Health
1238	Trans. and L. Gov.
1249	Nat. Res. and G.O.
1261	Ed. and Hum. S.
1264	H. & C.D. and Jud.
1274	U. & C. and Rev. & Tax.
1287	Jud.
1291	Health and Agri.
1298	Hum. S.
1311	L. & E.
1326	Hum. S.
1327	E.S. & T.M.
1330	L. Gov. and Nat. Res.
1333	E.S. & T.M. and Pub. S.
1351	B. & P.
1365	Nat. Res.
1370	B. & P. and Health
1378	Hum. S.
1385	Ed.
1388	B. & P.
1390	Jud. and H. & C.D.
1392	Ed.
1397	Jud. and U. & C.
1402	Higher Ed.
1406	Trans.
1407	Trans. and Appr.
1408	Hum. S.
1412	Hum. S. and Jud.
1416	Ed.
1421	L. Gov. and W.,P. & W.
1422	Pub. S.
1424	Rev. & Tax.
1427	Pub. S. and Jud.
1439	V.A.
1453	Jud.
1466	W.,P. & W.
1472	H. & C.D.
1476	Health
1477	Trans.
1480	Higher Ed.
1489	B. & F.
1490	Ed. and Higher Ed.
1507	Jud.
1511	L. Gov.
1530	E. & R.
1532	Higher Ed. and B. & P.
1533	Health
1538	Hum. S.
1539	B. & P.
1546	E.S. & T.M.
1548	Agri. and E.S. & T.M.
1550	Trans.

1554	-----	Ins.
1558	-----	E. & R.
1559	-----	G.O.
1563	-----	J., E.D. & E.
1569	-----	Ed.
1577	-----	Ins.
1579	-----	Health
1581	-----	Pub. S.
1586	-----	Health
1595	-----	Pub. S.
1602	-----	L. Gov.
1617	-----	B. & P.
1623	-----	Trans. and L. Gov.
1625	-----	B. & P.
1633	-----	Hum. S.
1634	-----	Ins.
1638	-----	Hum. S. and Jud.
1641	-----	B. & P.
1654	-----	B. & P.
1655	-----	G.O.
1657	-----	Pub. S.
1660	-----	B. & P.
1661	-----	G.O.
1662	-----	Ed.
1663	-----	B. & P.
1666	-----	V.A.
1669	-----	L. & E.
1671	-----	Health
1672	-----	Health
1673	-----	Health
1674	-----	Health
1675	-----	Health
1676	-----	Health and Trans.
1677	-----	Pub. S.
1680	-----	Ed.
1685	-----	Ed.
1689	-----	Health
1691	-----	Ed.
1692	-----	Rev. & Tax.
1694	-----	B. & F.
1695	-----	Ed.
1697	-----	Hum. S.
1698	-----	Health
1700	-----	Jud.
1701	-----	Health
1702	-----	L. Gov. and H. & C.D.
1704	-----	U. & C.
1705	-----	Nat. Res.
1706	-----	Trans.
1707	-----	Health
1709	-----	L. & E.
1710	-----	Pub. S.
1711	-----	Health
1713	-----	W.,P. & W.

1714	-----	Trans.
1717	-----	Rev. & Tax.
1718	-----	Nat. Res.
1720	-----	Health
1721	-----	Ed.
1722	-----	Nat. Res.
1723	-----	U. & C. and Nat. Res.
1725	-----	V.A.
1726	-----	B. & F.
1729	-----	B. & F. and B. & P.
1730	-----	Agri. and E.S. & T.M.
1732	-----	U. & C. and Nat. Res.
1734	-----	Ins.
1735	-----	U. & C.
1736	-----	U. & C. and Nat. Res.
1738	-----	L. Gov.
1739	-----	Jud.
1740	-----	Jud.
1742	-----	Jud.
1743	-----	Jud.
1744	-----	Health
1745	-----	Health
1746	-----	L. Gov.
1747	-----	W.,P. & W. and E.S. & T.M.
1748	-----	Trans.
1751	-----	G.O.
1754	-----	H. & C.D.
1760	-----	Ins.
1761	-----	Ins.
1763	-----	Nat. Res.
1764	-----	Nat. Res.
1766	-----	Rev. & Tax.
1767	-----	Rev. & Tax.
1768	-----	Pub. S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
39	----- Rls.
40	----- Rls.
41	----- Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
10	----- Hum. S.
11	----- P.E.,R. & S.S.

Senate

<i>Bill No.</i>	<i>Committee</i>
121	----- L. Gov.
122	----- L. Gov.
123	----- L. Gov.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
32	----- Rls.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 272

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 110
- Assembly Bill No. 118
- Assembly Bill No. 158
- Assembly Bill No. 179
- Assembly Bill No. 298
- Assembly Bill No. 343
- Assembly Bill No. 363
- Assembly Bill No. 404
- Assembly Bill No. 406
- Assembly Bill No. 443
- Assembly Bill No. 444
- Assembly Bill No. 453
- Assembly Bill No. 454
- Assembly Bill No. 634

- Assembly Bill No. 635
- Assembly Bill No. 689
- Assembly Bill No. 834
- Assembly Bill No. 877
- Assembly Bill No. 951
- Assembly Bill No. 952
- Assembly Bill No. 991
- Assembly Bill No. 1132
- Assembly Bill No. 1181
- Assembly Bill No. 1246
- Assembly Bill No. 1281
- Assembly Bill No. 1404
- Assembly Bill No. 1630

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 8
- Assembly Bill No. 21
- Assembly Bill No. 80
- Assembly Bill No. 122
- Assembly Bill No. 223
- Assembly Bill No. 295
- Assembly Bill No. 347
- Assembly Bill No. 429
- Assembly Bill No. 451
- Assembly Bill No. 524
- Assembly Bill No. 588

- Assembly Bill No. 595
- Assembly Bill No. 741
- Assembly Bill No. 794
- Assembly Bill No. 831
- Assembly Bill No. 1236
- Assembly Bill No. 1293
- Assembly Bill No. 1303
- Assembly Bill No. 1320
- Assembly Bill No. 1322
- Assembly Bill No. 1391

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 365
- Assembly Bill No. 375
- Assembly Bill No. 473
- Assembly Bill No. 647
- Assembly Bill No. 828

- Assembly Bill No. 870
- Assembly Bill No. 950
- Assembly Bill No. 1239
- Assembly Bill No. 1253

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 85
- Assembly Bill No. 279
- Assembly Bill No. 405
- Assembly Bill No. 424
- Assembly Bill No. 427
- Assembly Bill No. 495

- Assembly Bill No. 592
- Assembly Bill No. 633
- Assembly Bill No. 641
- Assembly Bill No. 665
- Assembly Bill No. 796

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 286
- Assembly Bill No. 358

- Assembly Bill No. 719
- Assembly Bill No. 961

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Joint Resolution No. 7

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 230
- Assembly Bill No. 312
- Assembly Bill No. 430
- Assembly Bill No. 476
- Assembly Bill No. 507
- Assembly Bill No. 526
- Assembly Bill No. 591

- Assembly Bill No. 695
- Assembly Bill No. 805
- Assembly Bill No. 813
- Assembly Bill No. 1088
- Assembly Bill No. 1196
- Assembly Bill No. 1449

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 9
- Assembly Bill No. 191
- Assembly Bill No. 264
- Assembly Bill No. 322
- Assembly Bill No. 366
- Assembly Bill No. 426
- Assembly Bill No. 522
- Assembly Bill No. 806
- Assembly Bill No. 807

- Assembly Bill No. 808
- Assembly Bill No. 988
- Assembly Bill No. 1036
- Assembly Bill No. 1077
- Assembly Bill No. 1154
- Assembly Bill No. 1409
- Assembly Bill No. 1411
- Assembly Bill No. 1500
- Assembly Bill No. 1536

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 22
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 30, 2005

*Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: Please be advised that the Assembly Committee on Rules met on March 30, 2005, and recommends to the Assembly that the Governor's nomination of Bruce A. McPherson as Secretary of State be confirmed. The roll call is enclosed.

Sincerely,

CINDY MONTAÑEZ
Chair

Rules

Date of Hearing: 03/30/2005

BILL NO.	Recommends Confirmation			
ACTION VOTED ON	Bruce A. McPherson, Secretary of State Nominee			
	Aye : No	Aye : No	Aye : No	Aye : No
Montanez (Chair)	X :			
Cogdill (V. Chair)	X :			
Baca	X :			
Benoit	X :			
Coto	X :			
Dymally	: X			
Karnette	X :			
Villines	X :			
	Ayes: 7 Noes: 1	Ayes: 0 Noes: 0	Ayes: 0 Noes: 0	Ayes: 0 Noes: 0

RECEIVED: MAR 30 2005

Montañez, Chair

MOTION TO CONFIRM GOVERNOR’S NOMINATION

Assembly Member Frommer moved that the Assembly advise and consent to the nomination by the Governor of Bruce A. McPherson to the Office of Secretary of State.

Assembly Member McCarthy seconded the motion.

The question being: Will the Assembly advise and consent to the nomination by the Governor of Bruce A. McPherson to the Office of Secretary of State?

The roll was opened and the Governor’s nomination confirmed by the following vote:

AYES—71

Aghazarian	DeVore	Laird	Pavley
Arambula	Emmerson	Leno	Plescia
Baca	Evans	Leslie	Ridley-Thomas
Bass	Frommer	Levine	Runner
Benoit	Garcia	Lieber	Ruskin
Berg	Hancock	Liu	Salinas
Bermúdez	Harman	Matthews	Spitzer
Blakeslee	Haynes	Maze	Torrico
Bogh	Horton, Jerome	McCarthy	Tran
Calderon	Horton, Shirley	Montañez	Umberg
Chan	Houston	Mullin	Vargas
Chavez	Huff	Nakanishi	Villines
Chu	Jones	Nation	Walters
Cogdill	Karnette	Nava	Wolk
Cohn	Keene	Negrete McLeod	Wyland
Coto	Klehs	Niello	Yee
Daucher	La Malfa	Oropeza	Mr. Speaker
De La Torre	La Suer	Parra	

NOES—None

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Matthews announced that the Committee on Agriculture would meet today, ten minutes after the adjournment of Floor session, in Room 4202.

CONSIDERATION OF DAILY FILE

**ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 272, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 281—An act to amend Section 311.11 of the Penal Code, relating to child pornography.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 299—An act to amend Section 11165.9 of the Penal Code, and to amend Section 827 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 254—An act to amend Section 1797.196 of the Health and Safety Code, relating to emergency medical services.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 43—An act to amend Section 15342 of the Elections Code relating to elections.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 241—An act to amend Section 1107.5 of, and to add Sections 6020.5, 8020.5, 12550.5, 15678.10, 16915.5, and 17554.5 to, the Corporations Code, relating to business entities.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 89—An act to add Division 1.7 (commencing with Section 1190) to the Health and Safety Code, and to add Chapter 17 (commencing with Section 12694) to Part 6.2 of Division 2 of the Insurance Code, relating to health care coverage.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 119—An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 165—An act to amend Section 89416 of the Education Code, relating to the California State University.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY CONCURRENT RESOLUTION NO. 11—Relative to the Public Employees' Retirement System.

Resolution read; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted; resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 238—An act to amend Section 3440.1 of the Civil Code, relating to fraudulent transfers.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 541—An act to amend Section 3041.5 of the Family Code, and to amend Sections 2341 and 2854 of the Probate Code, relating to guardians.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 519—An act to amend Section 366.26 of the Welfare and Institutions Code, relating to children.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Salinas announced that the Committee on Local Government would meet today, 15 minutes after adjournment of Floor session, in Room 447.

Assembly Member Bermúdez announced that the Budget Subcommittee No. 4 on State Administration would meet today, upon adjournment of Floor session.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 30, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 238

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

MOTION TO ADJOURN

At 1:46 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:47 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 17—Jones. Relative to child support penalties.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Banking and Finance, on Monday, April 11, 2005, at 4 p.m.;

Governmental Organization, on Friday, April 8, 2005, in Los Angeles.

AUTHOR'S AMENDMENTS

Committee on Governmental Organization

March 30, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 260

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 260—An act to amend Section 13110.5 of the Health and Safety Code, relating to fire protection.

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

March 30, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 963

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 963—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

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 Aging and Long-Term Care

March 30, 2005

Mr. Speaker: The Chair of your Committee on Aging and Long-Term Care reports:
Assembly Bill No. 484

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERG, Chair

ASSEMBLY BILL NO. 484—An act to amend Section 15656 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

March 30, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1147

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1147—An act to add Division 26 (commencing with Section 81100) to the Food and Agricultural Code, relating to industrial hemp.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

March 30, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 528

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 528—An act to amend Section 1789.35 of the Civil Code, relating to check cashers.

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 Higher Education

March 30, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 317

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 317—An act to amend Section 84752 of the Education Code, relating to community college finance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

March 30, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 341
Assembly Bill No. 446

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 341—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3260 and 3260.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 446—An act to amend Section 922 of the Business and Professions Code, relating to medicine.

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

March 30, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 328
Assembly Bill No. 329
Assembly Bill No. 797

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 328—An act to add Section 5017 to the Public Resources Code, relating to state parks, 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.

ASSEMBLY BILL NO. 329—An act to add Section 5017 to the Public Resources Code, relating to state parks, making an appropriation therefor, 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.

ASSEMBLY BILL NO. 797—An act to amend Section 29739 of the Public Resources Code, relating to the Sacramento-San Joaquin Delta.

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

March 30, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 324

Assembly Bill No. 658

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 324—An act to add Section 10007 to the Penal Code, relating to inmates.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 658—An act relating to inmates.

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 Labor and Employment

March 30, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 169

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 169—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

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

March 30, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 385

Assembly Bill No. 475

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 385—An act to amend Section 19507 of the Welfare and Institutions Code, relating to blind persons.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 475—An act to add Section 17206 to 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 Housing and Community Development

March 30, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 1472

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 1472—An act to amend Section 33333.10 of the Health and Safety Code, relating to redevelopment.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR’S AMENDMENTS

Committee on Veterans Affairs

March 30, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 823

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 823—An act to amend Sections 456, 457, and 458 of the Military and Veterans Code, relating to military and veterans.

Bill read second time; 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

March 30, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 1298

Assembly Bill No. 1633

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 1298—An act to add Section 12693.756 to the Insurance Code, to amend Section 18905.1 of, and to add Sections 11155.6 and 14005.41 to, the Welfare and Institutions Code, relating to public social services, 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.

ASSEMBLY BILL NO. 1633—An act to add Chapter 6.2 (commencing with Section 13750) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to foster children.

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 Judiciary

March 30, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 220
Assembly Bill No. 425

Assembly Bill No. 496
Assembly Bill No. 1453

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 220—An act to amend Sections 4801, 5075.5, and 13823.9 of the Penal Code, to amend Section 3030 of the Family Code, and to amend Section 340.3 of the Code of Civil Procedure, relating to domestic violence.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 425—An act to add Section 22444.5 to the Business and Professions Code, relating to immigration consultants.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 496—An act to amend Section 22350 of the Business and Professions Code, to amend Sections 412.10, 685.090, 1985.3, and 1985.6 of the Code of Civil Procedure, and to amend Section 4013 of the Penal Code, relating to service of process.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1453—An act to add Section 399.5 to the Code of Civil Procedure, relating to venue.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

March 30, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 116
Assembly Bill No. 117
Assembly Bill No. 330
Assembly Bill No. 360
Assembly Bill No. 468

Assembly Bill No. 631
Assembly Bill No. 669
Assembly Bill No. 688
Assembly Bill No. 909

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 116—An act to amend Section 124030 of the Health and Safety Code, relating to child health and disability prevention.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 117—An act to add Section 14133.06 to the Welfare and Institutions 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.

ASSEMBLY BILL NO. 330—An act to amend Section 1265 of, and to add Sections 1265.3 and 1265.4 to, the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 360—An act to amend Sections 1324.20 and 1324.27 of the Health and Safety Code, and to amend Section 14126.02 of the Welfare and Institutions Code, relating to skilled nursing 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.

ASSEMBLY BILL NO. 468—An act to amend Section 7576 of the Government Code, relating to special education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 631—An act to add Section 11839.65 to the Health and Safety Code, relating to narcotic treatment programs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 669—An act to add Section 1279.1 to the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 688—An act to amend Sections 1324.2 and 1324.4 of, and to add Section 1324.15 to, the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 909—An act to add Section 1345.5 to the Health and Safety Code, and to add Section 10127.17 to the Insurance Code, relating to health care coverage.

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 Employees, Retirement and Social Security**

March 30, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1567

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 1567—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES**Committee on Water, Parks and Wildlife**

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 193

With the recommendation: Do pass, and be re-referred to the Committee on Business and Professions.

WOLK, Chair

Above bill re-referred to the Committee on Business and Professions.

Committee on Business and Professions

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 268

Assembly Bill No. 367

Assembly Bill No. 327

Assembly Bill No. 641

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Water, Parks and Wildlife

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 359

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Human Services

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 363

Assembly Bill No. 633

Assembly Bill No. 368

Assembly Bill No. 696

Assembly Bill No. 379

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

EVANS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 812

With the recommendation: Do pass, and be re-referred to the Committee on Health.

EVANS, Chair

Above bill re-referred to the Committee on Health.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Assembly Bill No. 1317

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety.

RUSKIN, Chair

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Assembly Bill No. 1342

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.

RUSKIN, Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 1200

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 278

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Judiciary.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 543

Assembly Bill No. 627

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.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 663

Assembly Bill No. 685

Assembly Bill No. 760

Assembly Bill No. 784

Assembly Bill No. 1446

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Insurance

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 242

Assembly Bill No. 391

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 210

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

VARGAS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Housing and Community Development

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 394

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

MULLIN, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 14

With the recommendation: Do pass, and be re-referred to the Committee on Local Government.

MULLIN, Chair

Above bill re-referred to the Committee on Local Government.

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 983

With the recommendation: Do pass.

MULLIN, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 23

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 9 a.m., Thursday, March 31, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 30, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
43	0509650	475	0510099
89	0509627	484	0510354
116	0510262	496	0510255
117	0510100	519	0509174
119	0509605	528	0510168
165	0509577	541	0509358
169	0509081	631	0510324
220	0510364	658	0509963
241	0509561	669	0509988
254	0509732	688	0510153
260	0509927	797	0509700
281	0509626	823	0509862
299	0509641	909	0510325
317	0509818	963	0510016
324	0510156	1147	0509953
328	0509967	1298	0509500
329	0509960	1453	0509026
330	0510220	1472	0509396
341	0510059	1567	0510094
360	0509993	1633	0509930
385	0509564		
425	0509857	ACR	RN
446	0509555	11	0509742
468	0510132		

Daily Total:	45
Cumulative Total:	262

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 31, 2005

FORTY-SIXTH SESSION DAY

ONE HUNDRED SIXTEENTH 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
Thursday, March 31, 2005

The Assembly met at 9 a.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 Plescia moved a quorum call of 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 9:04 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—74:

Aghazarian	Dymally	Laird	Plescia
Arambula	Emmerson	Leno	Richman
Baca	Evans	Leslie	Runner
Bass	Frommer	Levine	Ruskin
Benoit	Garcia	Lieber	Saldaña
Berg	Goldberg	Liu	Salinas
Bermúdez	Hancock	Matthews	Spitzer
Blakeslee	Harman	Maze	Torricon
Bogh	Horton, Jerome	McCarthy	Tran
Calderon	Horton, Shirley	Montañez	Umberg
Chan	Houston	Mountjoy	Vargas
Chavez	Huff	Mullin	Villines
Chu	Jones	Nakanishi	Walters
Cogdill	Karnette	Nation	Wolk
Cohn	Keene	Nava	Wyland
Coto	Klehs	Negrete McLeod	Yee
Daucher	Koretz	Oropeza	Mr. Speaker
De La Torre	La Malfa	Parra	
DeVore	La Suer	Pavley	

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG DEFERRED

Without objection, Speaker pro Tempore Yee deferred the prayer and
the pledge of allegiance to the Flag until later in today's session.

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 Bass, seconded by
Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Haynes, Ridley-Thomas, and Strickland.

On legislative business, per diem waived for the 2005–2006 Session (See Assembly Journal, page 63): Assembly Member Niello.

On personal business, and waiving per diem: Assembly Member Canciamilla.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 24, 2005

*The Honorable Fabian Núñez
Speaker of the California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: Please excuse my absence from Assembly Floor Session on Thursday, March 31, 2005, due to legislative business in my district.

Sincerely,

RAY HAYNES, Assembly Member
Sixty-sixth District

March 29, 2005

*The Honorable Fabian Núñez
Speaker of the State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully writing to be excused from session March 31, 2005. I will be attending a speaking engagement in San Diego.

If you have any questions, please contact me at 319-2005.

Sincerely,

ROGER NIELLO, Assembly Member
Fifth District

March 30, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I write to request permission to be excused from Session on Thursday, March 31, 2005. 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

March 29, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor session on Thursday, March 31, due to legislative business in my district.

If you have any questions, please call Joel Angeles at 319.2037.

Sincerely,

AUDRA STRICKLAND, Assembly Member
Thirty-seventh District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 31, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 254

Assembly Bill No. 519

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, March 31, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 43 | Assembly Bill No. 328 |
| Assembly Bill No. 89 | Assembly Bill No. 329 |
| Assembly Bill No. 116 | Assembly Bill No. 330 |
| Assembly Bill No. 117 | Assembly Bill No. 341 |
| Assembly Bill No. 119 | Assembly Bill No. 360 |
| Assembly Bill No. 165 | Assembly Bill No. 385 |
| Assembly Bill No. 169 | Assembly Bill No. 425 |
| Assembly Bill No. 220 | Assembly Bill No. 446 |
| Assembly Bill No. 241 | Assembly Bill No. 468 |
| Assembly Bill No. 260 | Assembly Bill No. 475 |
| Assembly Bill No. 281 | Assembly Bill No. 484 |
| Assembly Bill No. 299 | Assembly Bill No. 496 |
| Assembly Bill No. 317 | Assembly Bill No. 528 |
| Assembly Bill No. 324 | Assembly Bill No. 541 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 31, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 631 | Assembly Bill No. 963 |
| Assembly Bill No. 658 | Assembly Bill No. 1147 |
| Assembly Bill No. 669 | Assembly Bill No. 1298 |
| Assembly Bill No. 688 | Assembly Bill No. 1453 |
| Assembly Bill No. 797 | Assembly Bill No. 1472 |
| Assembly Bill No. 823 | Assembly Bill No. 1567 |
| Assembly Bill No. 909 | Assembly Bill No. 1633 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 31, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 11

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Chavez and Coto were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 454 from the Committee on Governmental Organization, to the Committee on Public Safety;

Assembly Bill No. 528 from the Committee on Banking and Finance, to the Committee on Judiciary;

Assembly Bill No. 797 from the Committee on Water, Parks and Wildlife, to the Committees on Natural Resources and Local Government.

At 9:13 a.m., Speaker Fabian Núñez, 46th District, presiding

SPECIAL RECOGNITION

The Members of the Assembly joined in extending best wishes to Assembly Members Cohn and Villines on the occasion of their birthday.

PRAYER

Upon invitation of Speaker Núñez, the following prayer was offered by Assembly Member Arambula:

Prayer of the Farm Workers' Struggle

Show me the suffering of the most miserable;
So I will know my people's plight.

Free me to pray for others;
For you are present in every person.

Help me to take responsibility for my own life;
So that I can be free at last.

Grant me courage to serve others;
For in service there is true life.

Give me honesty and patience;
So that I can work with other workers.

Bring forth song and celebration;
So that the spirit will be alive among us.

Let the spirit flourish and grow;
So we will never tire of the struggle.

Let us remember those who have died for justice;
For they have given us life.

Help us love even those who hate us;
So we can change the world.

Written by Cesar E. Chavez, UFW Founder
(1927–1993)

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Núñez, Assembly Member Torrico then led the Assembly in the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 31, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 32

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 32
BY UNANIMOUS CONSENT**

Assembly Member Coto was granted unanimous consent to take up Senate Concurrent Resolution No. 32 without reference to file, for purpose of consideration.

SENATE CONCURRENT RESOLUTION NO. 32 (Escutia)—Relative to César Chávez Day.

Resolution read, and presented by Assembly Member Coto.

Members Made Coauthors of Senate Concurrent Resolution No. 32

Assembly Member Coto was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 32.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Berg, Bermúdez, Blakeslee, Calderon, Chan, Chavez, Chu, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jones, Karnette, Keene, Klehs, Koretz, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Núñez, Oropeza, Parra, Pavley, Ruskin, Saldaña, Salinas, Spitzer, Torrico, Tran, Umberg, Vargas, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member Coto was granted unanimous consent to take up Senate Concurrent Resolution No. 32, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 32, as Amended
SENATE CONCURRENT RESOLUTION NO. 32—Relative to César Chávez Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

At 9:51 a.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

RECESS

By unanimous consent, at 9:52 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Liu introduced former Congresswoman Geraldine Ferraro and Richard Wolf.

RECONVENED

At 9:52 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 254 and 519, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1342—An act to amend Section 25360.2 of the Health and Safety Code relating to hazardous substance releases.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1200—An act to add Sections 139, 139.2, and 139.4 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

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.

ASSEMBLY BILL NO. 278—An act to amend Sections 17538.5 and 22780 of the Business and Professions Code, relating to commercial mail receiving agencies.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Judiciary.

ASSEMBLY BILL NO. 543—An act to add and repeal Section 4019.1 of the Penal Code, relating to the Contra Costa County jail.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 627—An act to amend Section 5009 of the Penal Code, relating to parolees.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 983—An act to amend Section 33334.22 of the Health and Safety Code, relating to housing.

Bill read second time, and ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 31, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 543
- Assembly Bill No. 627
- Assembly Bill No. 1342

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, March 31, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 983

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

48	-----	L. & E.
316	-----	B. & P. and Jud.
361	-----	B. & P.
568	-----	Health and Jud.
702	-----	Higher Ed.
817	-----	Ins.
827	-----	Higher Ed. and B. & P.

888	-----	Trans.
924	-----	Agri.
967	-----	Higher Ed.
984	-----	Jud. and Agri.
1011	-----	Agri. and E.S. & T.M.
1035	-----	Jud.
1039	-----	W.,P. & W.
1130	-----	Jud.
1140	-----	L. Gov. and E. & R.
1145	-----	Hum. S.
1170	-----	Trans.
1184	-----	L. & E.
1195	-----	B. & P.
1204	-----	W.,P. & W.
1222	-----	Trans.
1259	-----	Rev. & Tax. and H. & C.D.
1271	-----	E.S. & T.M.
1286	-----	Higher Ed.
1343	-----	E.S. & T.M.
1376	-----	Jud.
1383	-----	H. & C.D. and U. & C.
1430	-----	E.S. & T.M.
1461	-----	H. & C.D.
1588	-----	B. & P. and Jud.
1605	-----	Aging & L.T.C. and B. & F.
1607	-----	Hum. S.
1612	-----	Nat. Res. and G.O.
1616	-----	W.,P. & W.
1658	-----	G.O. and Jud.
1664	-----	Aging & L.T.C. and B. & F.
1665	-----	W.,P. & W. and Ins.
1670	-----	Rev. & Tax. and Health
1683	-----	Pub. S.
1693	-----	E.S. & T.M.
1750	-----	G.O.
1753	-----	G.O. and Pub. S.
1755	-----	E. & R.
1756	-----	E. & R.
1757	-----	E. & R.
1758	-----	E. & R.
1759	-----	E. & R.
1762	-----	V.A.
1765	-----	Rev. & Tax.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
42	----- J., E.D. & E.
43	----- L. & E.
44	----- Rls.

Assembly Joint

Resolution No.

Committee

- 12 ----- V.A.
- 13 ----- P.E.,R. & S.S.
- 14 ----- Nat. Res.
- 15 ----- Jud.
- 16 ----- Trans.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 7 (Runner)—Relative to space travel.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 7**

Assembly Member Runner was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 7.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, Montañez, Mountjoy, Mullin, Nakanishi, Nava, Negrete McLeod, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ruskin, Saldaña, Salinas, Spitzer, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Runner was granted unanimous consent to take up Assembly Concurrent Resolution No. 7, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 7, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 7—Relative to space travel.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS

By unanimous consent, at 10:05 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Runner, McCarthy and Maze introduced and presented a resolution to Paul Allen, Burt Rutan and Brian Binnie in recognition of their funding, designing, creating and piloting Space Ship One, which was the first privately built and manned spacecraft.

RECONVENED

At 10:07 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY JOINT RESOLUTION NO. 6 (Koretz)—Relative to Darfur.
Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 6

Assembly Member Koretz was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 6.

Roll Call

The following Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Calderon, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nava, Negrete McLeod, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Runner, Ruskin, Saldaña, Salinas, Spitzer, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Koretz was granted unanimous consent to take up Assembly Joint Resolution No. 6, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 6, as Amended

ASSEMBLY JOINT RESOLUTION NO. 6—Relative to Darfur.

Resolution read, as amended, and adopted by the following vote:

AYES—72

Aghazarian	DeVore	La Malfa	Pavley
Arambula	Dymally	La Suer	Plescia
Baca	Emmerson	Laird	Richman
Bass	Evans	Leno	Runner
Benoit	Frommer	Leslie	Ruskin
Berg	Garcia	Levine	Saldaña
Bermúdez	Goldberg	Lieber	Salinas
Blakeslee	Hancock	Liu	Spitzer
Bogh	Harman	Matthews	Torrico
Calderon	Horton, Jerome	Maze	Tran
Chan	Horton, Shirley	Mountjoy	Umberg
Chavez	Houston	Mullin	Vargas
Chu	Huff	Nakanishi	Villines
Cogdill	Jones	Nation	Walters
Cohn	Karnette	Nava	Wolk
Coto	Keene	Negrete McLeod	Wyland
Daucher	Klehs	Oropeza	Yee
De La Torre	Koretz	Parra	Mr. Speaker

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY BILL NO. 275 (Baca)—An act to amend Sections 11703 and 11706 of the Health and Safety Code, relating to controlled substances.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	DeVore	La Malfa	Plescia
Arambula	Dymally	La Suer	Richman
Baca	Emmerson	Laird	Runner
Bass	Evans	Leno	Ruskin
Benoit	Frommer	Leslie	Saldaña
Berg	Garcia	Levine	Salinas
Bermúdez	Goldberg	Lieber	Spitzer
Blakeslee	Hancock	Liu	Torrico
Bogh	Harman	Matthews	Tran
Calderon	Horton, Jerome	Montañez	Umberg
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Villines
Chu	Huff	Nakanishi	Walters
Cogdill	Jones	Nava	Wolk
Cohn	Karnette	Negrete McLeod	Wyland
Coto	Keene	Oropeza	Yee
Daucher	Klehs	Parra	Mr. Speaker
De La Torre	Koretz	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Senate Resolution

SENATE CONCURRENT RESOLUTION NO. 26 (Committee on Agriculture)—Relative to National Agriculture Week and National Agriculture Day.

Resolution read, and adopted by the following vote:

AYES—74

Aghazarian	Dymally	Laird	Plescia
Arambula	Emmerson	Leno	Richman
Baca	Evans	Leslie	Runner
Bass	Frommer	Levine	Ruskin
Benoit	Garcia	Lieber	Saldaña
Berg	Goldberg	Liu	Salinas
Bermúdez	Hancock	Matthews	Spitzer
Blakeslee	Harman	Maze	Torrico
Bogh	Horton, Jerome	McCarthy	Tran
Calderon	Horton, Shirley	Montañez	Umberg
Chan	Houston	Mountjoy	Vargas
Chavez	Huff	Mullin	Villines
Chu	Jones	Nakanishi	Walters
Cogdill	Karnette	Nation	Wolk
Cohn	Keene	Nava	Wyland
Coto	Klehs	Negrete McLeod	Yee
Daucher	Koretz	Oropeza	Mr. Speaker
De La Torre	La Malfa	Parra	
DeVore	La Suer	Pavley	

NOES—None

Resolution ordered transmitted to the Senate.

ADJOURN IN MEMORY

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John “Jack” P. Ketsdever, of Sun City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Klehs was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Fred Korematsu, of San Leandro.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Moment of Silence

Assembly Members Mountjoy and La Suer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Terri Schiavo, of Pinellas Park, FL, and that the Assembly observe a moment of silence in her honor.

(Assembly Rule 45.5 suspended.)

POINT OF INFORMATION

Assembly Member Negrete McLeod arose to a point of information, expressing thanks to Assembly Members Bermúdez, Chavez, Emerson, and Huff for allowing her staff to use their district offices to continue to provide services to her constituents during the six weeks that her district office was inaccessible due to damage from severe rainstorms.

ADJOURN IN MEMORY

Assembly Member Nava was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Al Byrnes and Stewart Abercrombie, of Montecito.

Assembly Member Parra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Smallwood, of Bakersfield.

Assembly Member Umberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ruth Fybel, of Ocean Hills and Manuel Quevedo, of Laguna Woods.

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 David Risling, of Davis; Phyllis Ann Boase, of Fairfield; Maureen Margaret Shott and Christopher James Waters, of Suisun City; Lawrence Barry Gatrell, Donald M. Halverson, Clinton M. Holland, and Mary Evelyn Ray, of Vacaville; Vidal R. Maldonado, of West Sacramento; and Robert H. Taylor, of Winters.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Joint Resolution No. 6: McCarthy—Aye.

Assembly Bill No. 275: Maze, McCarthy, and Nation—Aye.

Consent Calendar: Maze and McCarthy—Aye.

MOTION TO ADJOURN

At 10:24 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:25 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolutions were introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16—Gordon. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII A thereof, and by amending Section 2 of Article XIII C thereof, relating to taxation.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 17—Mullin. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article II thereof, relating to elections.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 45—Committee on Education (Goldberg (Chair), Arambula, Coto, Hancock, Liu, Mullin, Pavley, and Umberg). Relative to School Library Media Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 46—Strickland. Relative to California Highway Patrol Officer David W. Copleman Memorial Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 47—La Suer. Relative to the Ramon Ojeda Memorial Highway.

ASSEMBLY JOINT RESOLUTION NO. 18—Jones and Leslie (Coauthors: Senators Ducheny, Kehoe, and Maldonado). Relative to passenger rail service.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Environmental Safety and Toxic Materials, on Tuesday, April 19, 2005, upon adjournment of Public Safety, in Room 126.

**AUTHOR'S AMENDMENTS
Committee on Transportation**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 637

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 637—An act to amend Section 13369 of the Vehicle Code, as added by Section 12.5 of Chapter 952 of the Statutes of 2004, relating to vehicles.

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 Higher Education

March 31, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 982

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 982—An act to amend Section 76355 of the Education Code relating to community colleges.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1101

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1101—An act relating to air pollution.

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 Utilities and Commerce

March 31, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 1555

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 1555—An act to amend Section 399.12 of the Public Utilities Code, relating to public utilities.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 1581

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1581—An act to amend Section 530 of the Penal Code, relating to identity theft.

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 Elections and Redistricting

March 31, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 582

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 582—An act to add Sections 18305 and 20011 to the Elections Code, relating to political advertisements.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 882

Assembly Bill No. 1569

Assembly Bill No. 1270

Assembly Bill No. 1680

Assembly Bill No. 1416

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 882—An act to amend Section 47601 of the Education Code, relating to charter schools.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1270—An act to add Section 17074.22 to the Education Code, relating to school 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.

ASSEMBLY BILL NO. 1416—An act to amend Section 17078.30 of the Education Code, relating to school 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.

ASSEMBLY BILL NO. 1569—An act 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.

ASSEMBLY BILL NO. 1680—An act to add Section 48003 to the Education Code, relating to kindergarten.

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**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:
Assembly Bill No. 92
Assembly Bill No. 181

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

ASSEMBLY BILL NO. 92—An act to amend Section 9900 of the Government Code, relating to the Legislature.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 181—An act to add Section 9032 to the Government Code, relating to the Legislature.

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**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 32

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 32—An act to amend Sections 42801 and 42823 of the Health and Safety Code, relating to air pollution.

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**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 361
Assembly Bill No. 552

Assembly Bill No. 1195
Assembly Bill No. 1641

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 361—An act to add Section 8214.7 to the Government Code, relating to notaries public.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 552—An act to amend Section 8616.5 of the Business and Professions Code, relating to structural pest control.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1195—An act to add Section 2190.6 to the Business and Professions Code, relating to physicians and surgeons.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1641—An act relating to warrants.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1259

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1259—An act relating to property 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 Public Employees, Retirement and Social Security

March 31, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 284

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 284—An act to add Sections 19826.2 and 19827.4 to the Government Code, relating to state employees.

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 Environmental Safety and Toxic Materials

March 31, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 816

Assembly Bill No. 1017

Assembly Bill No. 1415

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 816—An act to amend Section 147.2 of the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1017—An act relating to hazardous 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.

ASSEMBLY BILL NO. 1415—An act to amend Section 25214.8.1 of, to amend the heading of Article 10.2.1 (commencing with Section 25214.8.1) of Chapter 6.5 of Division 20 of, to add Sections 25214.8.3 and 25214.8.4 to, and to add Article 10.2.2 (commencing with Section 25214.8.5) to Chapter 6.5 of Division 20 of, the Health and Safety Code, relating to hazardous 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 Human Services

March 31, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

- Assembly Bill No. 386
- Assembly Bill No. 824
- Assembly Bill No. 1179

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 386—An act to add Section 4474.2 to the Welfare and Institutions Code, relating to developmental services.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 824—An act to amend Section 11401.1 of the Welfare and Institutions Code, relating to public social services.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1179—An act to add Section 1507.25 to the Health and Safety Code, relating to community 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.

AUTHOR’S AMENDMENTS
Committee on Labor and Employment

March 31, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

- Assembly Bill No. 48

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 48—An act relating to employment.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 287
Assembly Bill No. 676
Assembly Bill No. 1524

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 287—An act to add Chapter 4.5 (commencing with Section 4350) to Part 2 of Division 4 of the Public Resources Code, relating to disaster response.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 676—An act to amend Section 445 of the Harbors and Navigation Code, relating to vessels.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1524—An act to add Section 30629 to the Public Resources Code, relating to coastal 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 Education

March 31, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1136

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1136—An act to amend Sections 37253, 41505, 41506, 42239, and 52890 of, and to repeal Sections 41505.5, 42239, 42239.15, and 52891 of, the Education Code, relating to instruction, 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 Education

March 31, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 208
Assembly Bill No. 1303

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 208—An act to amend Section 48306 of the Education Code, relating to school districts.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1303—An act to amend Sections 41329.52, 41329.55, 41329.56, and 41329.57 of the Education Code, and to add Section 63049.68 to the Government Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time; 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**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 11

Assembly Bill No. 919

Assembly Bill No. 345

Assembly Bill No. 1094

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 11—An act to add Section 36516.3 to the Government Code, relating to city councils.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 345—An act to amend Section 5956 of the Government Code, relating to infrastructure financing.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 919—An act to amend Section 4521 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.

ASSEMBLY BILL NO. 1094—An act to amend Section 14672.99 of the Government Code, relating to state property.

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 Judiciary**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 984

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 984—An act to amend Section 3501 of the Civil Code, relating to nuisance.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 981

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 981—An act to add Section 6353 to the Government Code, relating to joint powers authority.

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 Judiciary

March 31, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Concurrent Resolution No. 29

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 29—Relative to Access 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 Housing and Community Development

March 31, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 770

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 770—An act to add Chapter 11 (commencing with Section 1380) to Title 6 of Part 4 of Division 2 of the Civil Code, relating to common interest developments.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 461

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 461—An act to add Section 148.1 to the Streets and Highways Code, and to amend Section 21650 of the Vehicle Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

March 31, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 260

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 260—An act to amend Section 13110.5 of the Health and Safety Code, relating to fire protection.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1003
Assembly Bill No. 1039

Assembly Bill No. 1086
Assembly Bill No. 1616

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 1003—An act to amend Section 375 of the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1039—An act to amend Section 25436 of the Public Resources Code, relating to energy conservation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1086—An act to add Section 5090.39 to 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.

ASSEMBLY BILL NO. 1616—An act to amend Section 5090.02 of the Public Resources Code, relating to 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.

AUTHOR'S AMENDMENTS

Committee on Elections and Redistricting

March 31, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 738
Assembly Bill No. 1129

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 738—An act to amend Section 2121 of the Elections Code, relating to voting.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1129—An act to amend Section 9022 of the Elections Code, relating to elections.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Banking and Finance

March 31, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 730
Assembly Bill No. 843
Assembly Bill No. 1729

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 730—An act to amend Section 22009 of the Financial Code, relating to finance lenders.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 843—An act to amend Section 22251 of, and to add Section 22253.1 to, the Business and Professions Code, relating to tax preparers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1729—An act to amend Sections 10232.4, 10233, and 10238 of the Business and Professions Code, relating to real estate.

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**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 817

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 817—An act relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Insurance**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 837
Assembly Bill No. 873

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 837—An act to amend Section 106 of the Insurance Code, relating to health insurance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 873—An act to amend Section 2071 of, and to add Section 2084 to, the Insurance Code, relating to homeowners' insurance.

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**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 679

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 679—An act to amend Section 43700 of the Health and Safety Code, relating to emissions.

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**

March 31, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 316

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 316—An act to amend Section 7005 of the Business and Professions Code, relating to contractors.

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

March 31, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 217

Assembly Bill No. 1294

Assembly Bill No. 971

Assembly Bill No. 1683

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 217—An act to add Article 6.5 (commencing with Section 1312) to Chapter 2 of Division 2 of the Health and Safety 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.

ASSEMBLY BILL NO. 971—An act to add Section 13604 to the Penal Code, relating to corrections.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1294—An act to amend Section 6003 of the Penal Code, relating to the Youth Authority.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1683—An act to amend Section 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.

REPORTS OF STANDING COMMITTEES
Committee on Education

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 689

Assembly Bill No. 751

Assembly Bill No. 741

Assembly Bill No. 1100

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 831

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Agriculture

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 85

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MATTHEWS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Rules

Date of Hearing: March 31, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 27

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Date of Hearing: March 31, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 17

House Resolution No. 8

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 resolutions be placed on the Consent Calendar.

MONTAÑEZ, Chair

Above resolutions ordered to the Consent Calendar.

Date of Hearing: March 31, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 35

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Committee on Local Government

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 286

Assembly Bill No. 463

Assembly Bill No. 691

With the recommendation: Do pass.

SALINAS, Chair

Above bills ordered to second reading.

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Joint Resolution No. 7

With the recommendation: Be adopted.

SALINAS, Chair

Above resolution ordered to third reading.

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 174

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary with recommendation: To Consent Calendar.

SALINAS, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1318

Assembly Bill No. 1443

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.

SALINAS, Chair

Above bills ordered to second reading.

Committee on Agriculture

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 365

With the recommendation: Do pass, and be re-referred to the Committee on Natural Resources.

MATTHEWS, Chair

Above bill re-referred to the Committee on Natural Resources.

Committee on Local Government

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 486

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

SALINAS, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 31, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 1

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE JOINT RESOLUTION NO. 1—Relative to the Lemoore Military Operations Area (MOA) Initiative.

INTRODUCTION OF GUESTS

Assembly Member Walters, of the 73rd Assembly District, introduced participants in the Senator Marian Bergeson Excellence in Public Service Series.

Assembly Member Keene, of the 3rd Assembly District, introduced Quentin Frismand, of Oroville.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 12 noon, Monday, April 4, 2005, out of respect to the memory of John “Jack” P. Ketsdever, on motion of Assembly Member Bogh; out of respect to the memory of Fred Korematsu, on motion of Assembly Member Klehs; out of respect to the memory of Terri Schiavo, on motion of Assembly Members Mountjoy and La Suer; out of respect to the memory of Al Byrnes and Stewart Abercrombie, on motion of Assembly Member Nava; out of respect to the memory of Bill Smallwood, on motion of Assembly Member Parra; out of respect to the memory of Ruth Fybel and Manuel Quevedo, on motion of Assembly Member Umberg; and out of respect to the memory of David Risling, Phyllis Ann Boase, Maureen Margaret Shott, Christopher James Waters, Lawrence Barry Gatrell, Donald M. Halverson, Clinton M. Holland, Mary Evelyn Ray, Vidal R. Maldonado, and Robert H. Taylor, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 31, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
11	0509275	981	0510373
32	0510347	982	0510112
48	0509375	984	0510148
92	0508976	1003	0509931
181	0508990	1017	0509191
208	0510378	1039	0509775
217	0509169	1086	0509625
260	0510343	1094	0509208
278	0509858	1101	0509497
284	0509670	1129	0508904
287	0509905	1136	0509917
316	0509575	1179	0509331
345	0509248	1195	0509724
361	0510345	1200	0509932
386	0509773	1259	0508839
461	0509842	1270	0509684
552	0509325	1294	0510051
582	0509800	1303	0510231
637	0509270	1415	0509955
676	0509539	1416	0509628
679	0510122	1524	0510034
730	0509168	1555	0509776
738	0509512	1569	0509301
770	0510209	1581	0509366
816	0510185	1616	0509548
817	0509845	1641	0509542
824	0508926	1680	0509591
837	0510088	1683	0509717
843	0510230	1729	0509657
873	0510138		
882	0509440	ACR	RN
919	0509777	29	0510305
971	0510071		

Daily Total:	63
Cumulative Total:	325

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 4, 2005

FORTY-SEVENTH SESSION DAY

ONE HUNDRED TWENTIETH 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, April 4, 2005

The Assembly met at 12:12 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Benoit moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:15 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—74:

Aghazarian	Emmerson	Leslie	Ridley-Thomas
Arambula	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Harman	Maze	Spitzer
Blakeslee	Haynes	McCarthy	Strickland
Bogh	Horton, Shirley	Montañez	Torrico
Calderon	Houston	Mountjoy	Tran
Canciamilla	Huff	Mullin	Umberg
Chan	Jones	Nakanishi	Vargas
Chu	Karnette	Nation	Villines
Cogdill	Keene	Nava	Walters
Cohn	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Niello	Wyland
Daucher	La Malfa	Parra	Yee
De La Torre	La Suer	Pavley	Mr. Speaker
DeVore	Laird	Plescia	
Dymally	Leno	Richman	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, As we gather for the work set before us today, we pause to pray for the repose of the soul of Pope John Paul II. He has guided the Roman Catholic Church through transforming years, remaining firm on the traditional values of Catholicism while offering love, compassion and forgiveness. He touched many people with his gentle manner and his openness to people of other religions. We pray that You grant him rest.

Also, Lord, we know that Your blessings are with us forever and Your presence fills us with joy. Make us strong through any adversity we may face today. We trust in You, Lord Almighty, and because of Your constant love, we will always be secure.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Nation then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Hancock.

On personal business, and waiving per diem: Assembly Member Jerome E. Horton.

Because of illness: Assembly Members Gordon and Oropeza.

Due to travel delays: Assembly Members Baca and Chavez.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 23, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
Room 219, State Capitol*

Dear Mr. Speaker: I respectfully request an excused absence from Session on April 4–5, 2005. I have been invited to testify in Washington, D.C. at Sen. McCain's hearing on Urban Gaming.

Sincerely,

LONI HANCOCK, Assembly Member
Fourteenth District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 1, 2005

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Karen Bass
to California Policy Research Center Steering Committee

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Karen Bass to the California Policy Research Center Steering Committee. This is a pleasure appointment starting April 1, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 4, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Hector De La Torre to replace Assemblymember Mike Gordon on the Assembly Health Committee for the Tuesday, April 5th hearing.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 4, 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 Wilma Chan to replace Assemblymember Jerome Horton on the Assembly Banking and Finance Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 4, 2005

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 Olmstead Implementation and have appointed Assemblymember Lynn Daucher as the Chair.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

The following communications were presented by the Chief Clerk from:

Sue Johnsrud, Acting Director, Administrative Services Division Department of Justice, dated March 24, 2005, relative to the delay of submitting a report entitled Asset Forfeiture 2004 (pursuant to Health and Safety Code Section 11495).

Referred by the Speaker to the Committee on Public Safety.

Phil Angelides, State Treasurer, dated March 31, 2005, relative to the California Control Pollution Financing Authority (CPCFA) Annual Report for 2004 (pursuant to Health and Safety Code Section 44538).

Referred by the Speaker to the Committee on Banking and Finance.

REPORTS

The following reports were presented by the Chief Clerk:

Small, Micro Business and Disabled Veterans Business Enterprise Report 2003-04

Above transmitted report, together with letter of transmittal from Allen McCord, Lead Purchasing Agent, Military Department, Office of the Adjutant General, dated March 1, 2005, referred by the Speaker to the Committee on Veterans Affairs.

Annual Report of the Waiver Activity January 2003-December 2003 (Pursuant to Education Code Sections 33050-33053)

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated March 18, 2005, referred by the Speaker to the Committee on Education.

Comprehensive Annual Financial Report for Fiscal Year 2003-04

Above transmitted report, together with letter of transmittal from Fred Buenrostro, Chief Executive Officer, California Public Employees' Retirement System, dated March 21, 2005, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Non-Cervical Gynecological Cancer Treatments
(Pursuant to Assembly Bill 430, Section 49, Chapter 171
Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated March 24, 2005, referred by the Speaker to the Committee on Health.

**Business Forms Report
(Pursuant to Senate Bill 1898, Chapter 769, Statutes of 1994)**

Above transmitted report, together with letter of transmittal from Catherine Campisi, Ph.D., Director, Department of Rehabilitation, dated March 24, 2005, referred by the Speaker to the Committee on Business and Professions.

**Activities of the Division of Occupational Safety and Health
(Pursuant to Labor Code Section 6330)**

Above transmitted report, together with letter of transmittal from John M. Rea, Acting Director, Department of Industrial Relations, dated March 25, 2005, referred by the Speaker to the Committee on Labor and Employment.

**2004 Report on the California Physician Corps
Loan Repayment Program
(Pursuant to Business and Professions Code Section 2154.7(b))**

Above transmitted report, together with letter of transmittal from Dave Thornton, Executive Director, Medical Board of California, dated March 23, 2005, referred by the Speaker to the Committee on Business and Professions.

**Judges Pilot Program
(Pursuant to Senate Bill 2021, Chapter 461, Statutes of 1998)**

Above transmitted report, together with letter of transmittal from Karen McGagin, Executive Officer, Victim Compensation and Government Claims Board, dated March 24, 2005, referred by the Speaker to the Committee on Public Safety.

**Technology Advancement Office Clean Fuels Program
2004 Annual Report and 2005 Plan Update
(Pursuant to Senate Bill 98, Chapter 36, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Barry R. Wallerstein, D. Env., Executive Officer, South Coast Air Quality Management District, dated March 24, 2005, referred by the Speaker to the Committee on Transportation.

**Annual Report on the Extra Credit
Teacher Home Purchase Program
(Pursuant to Government Code Section 8869.84(g)(4))**

Above transmitted report, together with letter of transmittal from Phil Angelides, State Treasurer, dated March 25, 2005, referred by the Speaker to the Committee on Housing and Community Development.

**2004 California Capital Access Program (CalCAP)
Annual Report
(Pursuant to Health and Safety Code Section 44559.6)**

Above transmitted report, together with letter of transmittal from Eileen Marxen, Deputy Executive Director, California Pollution Control Financing Authority, dated March 31, 2005, referred by the Speaker to the Committee on Banking and Finance.

**2004 Annual Report
(Pursuant to Health and Safety Code Section 44538)**

Above transmitted report, together with letter of transmittal from Eileen Marxen, Deputy Executive Director, California Pollution Control Financing Authority, dated March 31, 2005, referred by the Speaker to the Committee on Banking and Finance.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Joint Committee on Boards, Commissions and Consumer Protection, on Tuesday, April 12, 2005, at 10 a.m., in Room 113.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 11 | Assembly Bill No. 386 |
| Assembly Bill No. 32 | Assembly Bill No. 461 |
| Assembly Bill No. 48 | Assembly Bill No. 552 |
| Assembly Bill No. 92 | Assembly Bill No. 582 |
| Assembly Bill No. 181 | Assembly Bill No. 637 |
| Assembly Bill No. 208 | Assembly Bill No. 676 |
| Assembly Bill No. 217 | Assembly Bill No. 679 |
| Assembly Bill No. 260 | Assembly Bill No. 730 |
| Assembly Bill No. 278 | Assembly Bill No. 738 |
| Assembly Bill No. 284 | Assembly Bill No. 770 |
| Assembly Bill No. 287 | Assembly Bill No. 816 |
| Assembly Bill No. 316 | Assembly Bill No. 817 |
| Assembly Bill No. 345 | Assembly Bill No. 824 |
| Assembly Bill No. 361 | Assembly Bill No. 837 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 843 | Assembly Bill No. 1129 |
| Assembly Bill No. 873 | Assembly Bill No. 1136 |
| Assembly Bill No. 882 | Assembly Bill No. 1179 |
| Assembly Bill No. 919 | Assembly Bill No. 1195 |
| Assembly Bill No. 971 | Assembly Bill No. 1200 |
| Assembly Bill No. 981 | Assembly Bill No. 1259 |
| Assembly Bill No. 982 | Assembly Bill No. 1270 |
| Assembly Bill No. 984 | Assembly Bill No. 1294 |
| Assembly Bill No. 1003 | Assembly Bill No. 1303 |
| Assembly Bill No. 1017 | Assembly Bill No. 1415 |
| Assembly Bill No. 1039 | Assembly Bill No. 1416 |
| Assembly Bill No. 1086 | Assembly Bill No. 1524 |
| Assembly Bill No. 1094 | Assembly Bill No. 1555 |
| Assembly Bill No. 1101 | Assembly Bill No. 1569 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1581
- Assembly Bill No. 1616
- Assembly Bill No. 1641

- Assembly Bill No. 1680
- Assembly Bill No. 1683
- Assembly Bill No. 1729

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 29

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
381 -----	A.,E.,S.,T., & I.M. and Jud.
608 -----	Ins.
646 -----	Pub. S.
746 -----	U. & C.
826 -----	Ed. and Agri.
908 -----	Health
990 -----	E.S. & T.M.
1146 -----	L. Gov. and Rev. & Tax.
1332 -----	U. & C. and Nat. Res.
1433 -----	B. & F.
1520 -----	B. & P. and L. Gov.
1681 -----	E.S. & T.M.
1727 -----	E.S. & T.M.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
17 -----	Jud.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
33 -----	Rls.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 299, be withdrawn from the Committee on Appropriations and placed on the second reading file.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 386 from the Committee on Human Services, to the Committee on Transportation;

Assembly Bill No. 669 from the Committee on Health, to the Committee on Governmental Organization.

MESSAGES FROM THE SENATE

March 31, 2005

*The Honorable E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber*

Dear Dotson: By direction of the Senate I respectfully request that you return SCR 1 to the Senate for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above resolution requested to be returned to the Senate.

Senate Chamber, April 4, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 51
Senate Bill No. 130

Senate Bill No. 158
Senate Bill No. 963

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 4, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 35
Senate Concurrent Resolution No. 29

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 51—An act to amend Section 1946.1 of the Civil Code, relating to tenancy.

SENATE BILL NO. 130—An act to amend Section 3262 of the Civil Code, relating to works of improvement.

SENATE BILL NO. 158—An act to amend Section 8230 of the Government Code, and to amend Section 4401 of the Probate Code, relating to powers of attorney.

SENATE BILL NO. 963—An act to amend Section 1203.016 of the Penal Code, relating to home detention.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 29—Relative to the Joint Legislative Committee on Emergency Services and Homeland Security.

SENATE CONCURRENT RESOLUTION NO. 35—Relative to Polio Awareness Day.

BILLS RETURNED TO THE SENATE

Assembly Member Frommer was granted unanimous consent that Senate Concurrent Resolution No. 1 be returned to the Senate immediately, for further action.

RECESS

By unanimous consent, at 12:20 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Dymally introduced and presented a resolution to Chief Lucky Igbinedion, Governor of Edo State, Federal Republic of Nigeria commending him on his illustrious record of accomplishments. Joining His Excellency were Sam Iredia, Senior Advisor, Dr. Ken Igbinedion, brother, Ibrahim Uwagboe, Head of Services, and Lucky Imasuen, Governor's Chief of Staff.

RECONVENED

At 12:23 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 286—An act to add Section 21100.7 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 463—An act to amend Section 54957 of the Government Code, relating to local agencies.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 691—An act to amend Section 65460.7 of, and to add Section 65460.11 to, the Government Code, relating to transit village plans.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1318—An act to amend Section 24011 of the Government Code, relating to county officers.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1443—An act to amend Sections 26908.5 and 36525 of the Government Code, relating to local agency auditors.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 486—An act to amend Section 5630 of the Public Resources Code, relating to parks.

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 Appropriations.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 463

Assembly Bill No. 691

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1318

Assembly Bill No. 1443

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 983 (Laird)—An act to amend Section 33334.22 of the Health and Safety Code, relating to housing.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	Emmerson	Leslie	Runner
Arambula	Evans	Levine	Ruskin
Bass	Frommer	Lieber	Saldaña
Benoit	Garcia	Liu	Salinas
Berg	Goldberg	Matthews	Spitzer
Bermúdez	Harman	Maze	Strickland
Blakeslee	Haynes	McCarthy	Torrico
Bogh	Horton, Shirley	Montañez	Tran
Calderon	Houston	Mountjoy	Umberg
Canciamilla	Huff	Mullin	Vargas
Chan	Jones	Nakanishi	Villines
Chu	Karnette	Nation	Walters
Cogdill	Keene	Nava	Wolk
Cohn	Klehs	Negrete McLeod	Wyland
Coto	Koretz	Niello	Yee
Daucher	La Malfa	Pavley	Mr. Speaker
De La Torre	La Suer	Plescia	
DeVore	Laird	Richman	
Dymally	Leno	Ridley-Thomas	

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. 23 (Scott)—Relative to Lyme Disease Awareness Week.

Resolution read.

Motion to Amend

Assembly Member Ruskin moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted, and to be returned to the third reading file.

SENATE CONCURRENT RESOLUTION NO. 27 (Dunn)—Relative to drowsy driver awareness day.

Resolution read, and presented by Assembly Member Umberg.

Members Made Coauthors of Senate Concurrent Resolution No. 27

Assembly Member Umberg was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 27.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Chan, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Evans, Frommer, Garcia, Goldberg, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Koretz, La Malfa, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, McCarthy, Montañez, Nakanishi, Nava, Negrete McLeod, Niello, Núñez, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member Umberg was granted unanimous consent to take up Senate Concurrent Resolution No. 27, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 27, as Amended

SENATE CONCURRENT RESOLUTION NO. 27—Relative to drowsy driver awareness day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 272 (Matthews)—An act to amend Section 830.1 of the Penal Code, relating to peace officers.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 238 (Harman)—An act to amend Section 3440.1 of the Civil Code, relating to fraudulent transfers.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

AYES—74

Aghazarian	Emmerson	Leslie	Ridley-Thomas
Arambula	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Harman	Maze	Spitzer
Blakeslee	Haynes	McCarthy	Strickland
Bogh	Horton, Shirley	Montañez	Torrico
Calderon	Houston	Mountjoy	Tran
Canciamilla	Huff	Mullin	Umberg
Chan	Jones	Nakanishi	Vargas
Chu	Karnette	Nation	Villines
Cogdill	Keene	Nava	Walters
Cohn	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Niello	Wyland
Daucher	La Malfa	Parra	Yee
De La Torre	La Suer	Pavley	Mr. Speaker
DeVore	Laird	Plescia	
Dymally	Leno	Richman	

NOES—None**ADJOURN IN MEMORY**

Assembly Member Vargas, on behalf of Speaker Núñez, was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pope John Paul II.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Saldaña, of Avalon, Catalina Island.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Dymally and Ridley-Thomas were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Johnnie Cochran, Jr., of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Ardie Ivie Jr., of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. 1st Class Paul R. Smith, of Florida.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Canciamilla was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dione Mustard, of Pleasant Hill and Donald Duane “Dr. Don” Rosenberg, of Concord.

Assembly Member Frommer, on behalf of Assembly Member Gordon, was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Deone Colbary, of Lomita and Capt. Sean Lee Brock, of Redondo Beach.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cindy Collins, of Danville.

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Hartley, of Moorpark.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lynn Albert Brewer, of Lancaster.

Assembly Member Umberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jennifer Brooks, of Alta Loma and Pfc. Samuel S. Lee, of Anaheim.

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 Howard S. Booth, Jr., Marge Kowalski, and Virgil A. Robinson, of Fairfield; Kathleen Braucher and Bill G. Westbrook, of Vacaville; Sydni K. Gillette, Webb C. Hadden, Ernestine Luella Mitchell, and Robert Joseph Williams, of Woodland.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 983: Bermúdez, Garcia, and Shirley Horton—Aye.

Consent Calendar: Shirley Horton and Spitzer—Aye.

SPECIAL RECOGNITION

The Members of the Assembly joined Assembly Member Frommer in extending best wishes to Assembly Member Koretz on the occasion of his birthday.

MOTION TO ADJOURN

At 12:40 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:41 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1769—Committee on Public Employees, Retirement and Social Security (Torrco (Chair), Jones, Mullin, and Negrete McLeod). An act to amend Section 54957.1 of, and to add Sections 6254.17 and 54957.11 to, the Government Code, relating to retirement, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1770—Committee on Public Employees, Retirement and Social Security (Torrco (Chair), Jones, Mullin, and Negrete McLeod). An act to amend Section 28001 of the Education Code, relating to state teachers' retirement, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1771—Committee on Public Employees, Retirement and Social Security (Torrco (Chair), Jones, Mullin, and Negrete McLeod). An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1772—Committee on Public Employees, Retirement and Social Security (Torrco (Chair), Jones, Mullin, and Negrete McLeod). An act to amend Sections 22115.2, 22662, 22663, 22703, 22705, 22705.5, 23001, 23104, 23202, 23300, 24005, 24105, 24204, 24214, 24216, 24219, 24306.5, 24306.7, 24307, 24311, 24312, 24400, 24410.6, 24613, 24701, 24704, 24750, 24751, and 27100 of the Education Code, relating to teachers' retirement, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1773—Committee on Public Employees, Retirement and Social Security (Torrco (Chair), Jones, Mullin, and Negrete McLeod). An act to amend Sections 20098, 20163, 20281.5, 20340, 20752, 21151, 21220, 21221, 21224, 21225, 21226, 21227, 21359, 21540.5, 22009.1, 22150, 22155, 22202, 22203, 22208, 22302, 22308, 22560, 22873, 22874, 22876, and 22958 of, and to add Sections 22009.03 and 22156 to, the Government Code, relating to public employees' benefits, and declaring the urgency thereof, to take effect immediately.

**AUTHOR'S AMENDMENTS
Committee on Education**

April 4, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 430

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 430—An act to amend Sections 44510, 44512, 44515, 44516, and 44517 of, and to amend the heading of Article 4.6 (commencing with Section 44510) of Chapter 3 of Part 25 of, the Education Code, relating to public school administrators.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Health**

April 4, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 624

Assembly Bill No. 1349

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 624—An act to amend Section 12693.41 of, and to add Section 12693.701 to, the Insurance Code, and to amend Section 14011.7 of, and to add Section 14005.42 to, the Welfare and Institutions Code, relating to child 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.

ASSEMBLY BILL NO. 1349—An act to amend Section 11839.20 of, and to add Sections 11758.421, 11758.425, and 11877 to, the Health and Safety Code, relating to narcotic treatment programs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

April 4, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 768

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 768—An act to add Section 54.9 to the Civil Code, relating to touch-screen devices.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

April 4, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 31

Assembly Bill No. 820

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 31—An act 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.

ASSEMBLY BILL NO. 820—An act to amend Section 14839.1 of the Government 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.

AUTHOR'S AMENDMENTS
Committee on Higher Education

April 4, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 162

Assembly Bill No. 827

Assembly Bill No. 702

Assembly Bill No. 967

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 162—An act to amend Section 81142 of the Education Code, relating to community colleges.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 702—An act relating to nursing education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 827—An act to amend Section 94838 of the Education Code, relating to private postsecondary education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 967—An act to amend Section 48800 of the Education Code, relating to public schools.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Health

April 4, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 568

Assembly Bill No. 576

Assembly Bill No. 800

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 568—An act relating to HIV.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 576—An act to amend Section 120475 of the Health and Safety Code, relating to immunizations.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 800—An act relating to health care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Education

April 4, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1071

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1071—An act to add Section 51009 to the Education Code, relating to the curriculum.

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

April 4, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 270
Assembly Bill No. 856

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 270—An act to amend Section 66907.7 of the Government Code, relating to the California Tahoe Conservancy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 856—An act to amend Section 32850 of the Public Resources Code, relating to land conservation.

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

April 4, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 34

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 34—An act to amend Section 25110 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 Public Employees, Retirement and Social Security

April 4, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 176

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 176—An act to amend Section 71601 of the Government Code, relating to trial courts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 4, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 1450
Assembly Bill No. 1599

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1450—An act to repeal Section 65586 of the Government Code, relating to land use.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1599—An act to add Section 15202.4 to the Government Code, relating to homicide trials.

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

April 4, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:
Senate Concurrent Resolution No. 16

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

SENATE CONCURRENT RESOLUTION NO. 16—Relative to Motorcycle 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 Transportation

April 4, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1229

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1229—An act to amend Section 43200 of, and to add Section 43200.1 to, the Health and Safety Code, relating to air pollution.

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

April 4, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1189

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1189—An act to amend Section 2932 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Human Services

April 4, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 855

Assembly Bill No. 1145

Assembly Bill No. 1607

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 855—An act to add Section 18917 to, and to repeal and add Section 11251.3 of, the Welfare and Institutions Code, relating to CalWORKs, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1145—An act to amend Section 4850 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1607—An act to amend Section 4850 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Environmental Safety and Toxic Materials

April 4, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 990

Assembly Bill No. 1681

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 990—An act relating to toxic substances.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1681—An act to add Chapter 33 (commencing with Section 22948) to Division 8 of the Business and Professions Code, relating to online services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 4, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 1549

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1549—An act to amend Sections 139.2, 3209.3, and 4616.4 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 4, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 1146

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1146—An act relating to local government finance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 4, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 608
Assembly Bill No. 1084

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 608—An act to amend Section 789 of the Insurance Code, relating to the Insurance Commissioner.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1084—An act to amend Section 10290 of, and to add Sections 10370, 10371, and 10372 to, the Insurance Code, relating to disability insurance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Housing and Community Development**

April 4, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 769

Assembly Bill No. 791

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 769—An act to add Section 17980.12 of the Health and Safety Code, relating to residential real property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 791—An act to amend Section 1940 of the Civil Code, relating to tenancy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Governmental Organization**

April 4, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Assembly Bill No. 211

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 211—An act to amend Section 8592.4 of the Government Code, relating to public safety.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Governmental Organization**

April 4, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Assembly Bill No. 1661

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1661—An act to amend Section 23356.2 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

April 4, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 163

Assembly Bill No. 602

Assembly Bill No. 175

Assembly Bill No. 1117

Assembly Bill No. 205

Assembly Bill No. 1263

Assembly Bill No. 592

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 163—An act to amend Section 7316 of the Business and Professions Code, relating to barbering and cosmetology.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 175—An act to amend Section 1749.45 of the Civil Code, relating to gift certificates.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 205—An act to amend Section 1706 of the Business and Professions Code, relating to dentistry.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 592—An act to amend Section 2234.1 of the Business and Professions Code, relating to healing arts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 602—An act to amend Section 1812.82 of the Civil Code, relating to health studios.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1117—An act to amend Sections 2075, 3642, 4926, 4935, 4937, and 4939 of the Business and Professions Code, relating to medicine.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1263—An act to add Section 7350.1 to the Business and Professions Code, relating to barbering and cosmetology.

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

April 4, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 916
 Assembly Bill No. 1112
 Assembly Bill No. 1288

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 916—An act to add Section 368.5 to the Penal Code, relating to 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.

ASSEMBLY BILL NO. 1112—An act to amend Section 647 of the Penal Code, relating to loitering.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1288—An act to amend Sections 136.2 and 11106 of the Penal Code, relating to court orders.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 4, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 72	Assembly Bill No. 929
Assembly Bill No. 525	Assembly Bill No. 1091
Assembly Bill No. 759	Assembly Bill No. 1291
Assembly Bill No. 908	

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 72—An act to add Division 114 (commencing with Section 130700) to the Health and Safety Code, relating to prescription drugs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 525—An act to add Section 14148.033 to the Welfare and Institutions 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.

ASSEMBLY BILL NO. 759—An act to add Section 7158.4 to the Health and Safety Code, relating to organ donation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 908—An act to amend Section 100333 of the Health and Safety Code, relating to public 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.

ASSEMBLY BILL NO. 929—An act to add Section 1256.5 to, and to add Article 5 (commencing with Section 114897) to Chapter 6 of Part 9 of Division 104 of, the Health and Safety Code, relating to radiation technology.

ASSEMBLY BILL NO. 1091—An act to amend Section 1812.101 of the Civil Code, relating to civil law.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1291—An act to add Section 110177 to the Health and Safety Code, relating to public 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.

REPORTS OF STANDING COMMITTEES

Committee on Housing and Community Development

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports: Assembly Bill No. 304

With amendments with the recommendation: Amend, and do pass, as amended.

MULLIN, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 180

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Banking and Finance.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 466

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 315

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 18

Assembly Concurrent Resolution No. 36

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 13

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.

Committee on Business and Professions

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 219

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Human Services

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 179

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Aging and Long-Term Care.

EVANS, Chair

Above bill ordered to second reading.

INTRODUCTION OF GUESTS

Assembly Member Leno, of the 13th Assembly District, introduced visitors from the San Francisco Sheriff's Department Five Keys Charter School.

Assembly Member Umberg, of the 69th Assembly District, introduced Dean and Kevin Zipser, of Newport Beach.

Assembly Member Garcia, of the 80th Assembly District, introduced members of the Coachella Valley Boys and Girls Club.

Assembly Member Bermúdez, of the 56th Assembly District, introduced Della Condon and Richard Hedges of the Cosmetology Board.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, April 5, 2005, out of respect to the memory of Pope John Paul II, on motion of Assembly Member Vargas (on behalf of Speaker Núñez); out of respect to the memory of Frank Saldaña, on motion of Assembly Member Karnette; out of respect to the memory of Johnnie Cochran, Jr., on motion of Assembly Members Dymally and Ridley-Thomas; out of respect to the memory of Dr. Ardie Ivie Jr., on motion of Assembly Member Dymally; out of respect to the memory of Sgt. 1st Class Paul R. Smith, on motion of Assembly Member Bogh; out of respect to the memory of Dione Mustard and Donald Duane "Dr. Don" Rosenberg, on motion of Assembly Member Canciamilla; out of respect to the memory of Deone Colbary and Capt. Sean Lee Brock, on motion of Assembly Member Frommer (on behalf of Assembly Member Gordon); out of respect to the memory of Cindy Collins, on motion of Assembly Member Houston; out of respect to the memory of James Hartley, on motion of Assembly Member Pavley; out of respect to the memory of Lynn Albert Brewer, on motion of Assembly Member Runner; out of respect to the memory of Pfc. Samuel S. Lee and Jennifer Brooks, on motion of Assembly Member Umberg; and out of respect to the memory of Howard S. Booth, Jr., Marge Kowalski, Virgil A. Robinson, Kathleen Braucher, Bill G. Westbrook, Sydni K. Gillette, Webb C. Hadden, Ernestine Luella Mitchell, and Robert Joseph Williams, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 4, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
31	0509769	908	0509677
34	0510479	916	0510594
72	0510021	929	0510351
162	0509448	967	0509729
163	0510506	990	0509804
175	0509956	1071	0510010
176	0510380	1084	0510326
205	0510407	1091	0509727
211	0510238	1112	0510545
270	0510590	1117	0510000
430	0510472	1145	0508888
486	0510478	1146	0508945
525	0510275	1189	0510583
568	0509117	1229	0510191
576	0509295	1263	0510385
592	0510728	1288	0509939
602	0510444	1291	0510180
608	0509848	1349	0510197
624	0509823	1450	0509772
702	0509446	1549	0510417
759	0510425	1599	0509568
768	0510338	1607	0508965
769	0510362	1661	0509898
791	0510519	1681	0510573
800	0509726		
820	0510437	SCR	RN
827	0510203	16	0510106
855	0510396	23	0510489
856	0510473		

Daily Total:	55
Cumulative Total:	380

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, April 5, 2005

FORTY-EIGHTH SESSION DAY

ONE HUNDRED TWENTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, April 5, 2005

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Aghazarian	DeVore	Laird	Pavley
Arambula	Dymally	Leno	Plescia
Baca	Emmerson	Leslie	Richman
Bass	Evans	Levine	Ridley-Thomas
Benoit	Frommer	Lieber	Runner
Berg	Garcia	Liu	Ruskin
Bermúdez	Goldberg	Matthews	Saldaña
Blakeslee	Harman	Maze	Salinas
Bogh	Haynes	McCarthy	Spitzer
Calderon	Horton, Shirley	Montañez	Strickland
Canciamilla	Houston	Mountjoy	Torrice
Chan	Huff	Mullin	Tran
Chavez	Jones	Nakanishi	Umberg
Chu	Karnette	Nation	Villines
Cogdill	Keene	Nava	Walters
Cohn	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Niello	Wyland
Daucher	La Malfa	Oropeza	Yee
De La Torre	La Suer	Parra	Mr. Speaker

Quorum present.

At 12:43 p.m., Hon. Rudy Bermúdez, 56th 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 Member Hancock.

On personal business, and waiving per diem: Assembly Members Jerome E. Horton and Vargas.

Because of illness: Assembly Member Gordon.

(NOTE: For letter explaining the absence of Assembly Member Hancock on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 4, 2005.)

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Utilities and Commerce to hold an Informational Hearing on Monday, April 11, 2005, at 2 p.m.

COMMUNICATIONS**Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated March 18, March 21, March 22, March 23 and March 25, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**School Employment Decisions. Employee Performance.
Initiative Constitutional Amendment. SA 2005RF0028**

Referred by the Speaker to the Committee on Education.

**Prescription Drug Program.
Initiative Statute. SA 2005RF0050**

Referred by the Speaker to the Committee on Health.

**Prescription Drugs.
Initiative Statute. SA 2005RF0051**

Referred by the Speaker to the Committee on Health.

**Prescription Drugs Act.
Initiative Statute. SA 2005RF0052**

Referred by the Speaker to the Committee on Health.

**Electric Service Providers. Regulation.
Initiative Statute. SA 2005RF0053 Amdt. #1-NS**

Referred by the Speaker to the Committee on Utilities and Commerce.

**Juvenile Courts. Child's Mental Health Treatment. Parental Consent.
Initiative Statute. SA 2005RF0055**

Referred by the Speaker to the Committee on Judiciary.

**Compacts Allowing Tribal Casinos. Urban Areas.
Initiative Constitutional Amendment. SA 2005RF0057**

Referred by the Speaker to the Committee on Governmental Organization.

**Urban Areas. Tribal Casino Compacts.
Initiative Constitutional Amendment. SA 2005RF0058**

Referred by the Speaker to the Committee on Governmental Organization.

**Mid-Decade District Reapportionment. Congressional Exception.
Initiative Constitutional Amendment. SA 2005RF0062**

Referred by the Speaker to the Committee on Elections and Redistricting.

**Minimum Wage Increase.
Initiative Statute. SA 2005RF0060**

Referred by the Speaker to the Committee on Labor and Employment.

**Corporate and Commercial Property Tax Increase. Sales Tax Reduction.
Initiative Constitutional Amendment and Statute. SA 2005RF0033**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Corporate Taxation. Transportation and Road Maintenance Funding.
Initiative Statute. SA 2005RF0042**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Corporate and Commercial Property Tax Increase. Reduction in Sales Tax.
Initiative Constitutional Amendment and Statute. SA 2005RF0043**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Residential and Commercial Property Tax Rates. Home Owner's Exemption.
Initiative Constitutional Amendment. SA 2005RF0047**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Increase in Minimum Wage.
Initiative Statute. SA 2005RF0063**

Referred by the Speaker to the Committee on Labor and Employment.

**Defined Benefit Retirement Plan. Private Sector Employees.
Initiative Statute. SA 2005RF0061**

Referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Commercial Property Taxes, Exemptions. Revenues for Schools,
Transportation, Public Safety.
Initiative Constitutional Amendment. SA 2005RF0059**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Commercial Real Property Taxation.
Reassessment, Exemptions, and Revenue Distribution.
Initiative Constitutional Amendment. SA 2005RF0034**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Prohibition on Government Employee Payroll Deductions for
Political Purposes.
Initiative Statute. SA 2005RF0066**

Referred by the Speaker to the Committee on Labor and Employment.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 31	Assembly Bill No. 768
Assembly Bill No. 162	Assembly Bill No. 820
Assembly Bill No. 430	Assembly Bill No. 827
Assembly Bill No. 486	Assembly Bill No. 967
Assembly Bill No. 624	Assembly Bill No. 1349
Assembly Bill No. 702	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 18
- Assembly Concurrent Resolution No. 36

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, April 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 34 | Assembly Bill No. 759 |
| Assembly Bill No. 72 | Assembly Bill No. 769 |
| Assembly Bill No. 163 | Assembly Bill No. 791 |
| Assembly Bill No. 175 | Assembly Bill No. 800 |
| Assembly Bill No. 176 | Assembly Bill No. 855 |
| Assembly Bill No. 205 | Assembly Bill No. 856 |
| Assembly Bill No. 211 | Assembly Bill No. 908 |
| Assembly Bill No. 270 | Assembly Bill No. 916 |
| Assembly Bill No. 525 | Assembly Bill No. 929 |
| Assembly Bill No. 568 | Assembly Bill No. 990 |
| Assembly Bill No. 576 | Assembly Bill No. 1071 |
| Assembly Bill No. 592 | Assembly Bill No. 1084 |
| Assembly Bill No. 602 | Assembly Bill No. 1091 |
| Assembly Bill No. 608 | Assembly Bill No. 1112 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1117 | Assembly Bill No. 1291 |
| Assembly Bill No. 1145 | Assembly Bill No. 1450 |
| Assembly Bill No. 1146 | Assembly Bill No. 1549 |
| Assembly Bill No. 1189 | Assembly Bill No. 1599 |
| Assembly Bill No. 1229 | Assembly Bill No. 1607 |
| Assembly Bill No. 1263 | Assembly Bill No. 1661 |
| Assembly Bill No. 1288 | Assembly Bill No. 1681 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

AUTHOR'S AMENDMENTS
Committee on Higher Education

April 5, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

- Assembly Bill No. 196
- Assembly Bill No. 1072
- Assembly Bill No. 1436

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 196—An act to repeal and add Sections 99180, 99181, and 99182 of the Education Code, relating to postsecondary education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1072—An act to add Section 66901.5 to, and to add Chapter 11.1 (commencing with Section 66910) to Part 40 of, the Education Code, relating to postsecondary education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1436—An act to add Section 69433.3 to the Education Code, relating to student financial aid, making an appropriation therefor, 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 Education

April 5, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 36

Assembly Bill No. 826

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 36—An act to add Article 6 (commencing with Section 36000) to Chapter 4 of Part 21 of the Education Code, relating to school district reorganization.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 826—An act relating to agriculture.

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 Environmental Safety and Toxic Materials

April 5, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 721

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 721—An act to add Chapter 2 (commencing with Section 42100) to Part 3 of Division 30 of the Public Resources Code, relating to metal plating facilities, 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

April 5, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1234

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1234—An act to add Article 2.3 (commencing with Section 53232) and Article 2.4 (commencing with Section 53234) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local agencies.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

April 5, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1361

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 1361—An act to amend Section 7073 of the Government 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 Health

April 5, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 75

Assembly Bill No. 228

Assembly Bill No. 76

Assembly Bill No. 497

Assembly Bill No. 78

Assembly Bill No. 657

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 75—An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to prescription drugs, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 76—An act to amend Section 12803 of, to add Part 5.4 (commencing with Section 14570) to, and to repeal Chapter 12 (commencing with Section 14977) of Part 5.5 of, Division 3 of Title 1 of, the Government Code, relating to pharmaceuticals.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 78—An act to add Division 113 (commencing with Section 150000) to the Health and Safety Code, relating to pharmacy benefits management.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 228—An act to add Section 1374.17 to the Health and Safety Code, and to add Section 10123.21 to the Insurance Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 497—An act to amend Section 4161 of the Business and Professions Code, relating to pharmacy 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.

ASSEMBLY BILL NO. 657—An act to amend Section 4076 of the Business and Professions Code, relating to pharmacies.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 5, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 927

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 927—An act to amend Sections 8208, 8235, 8236, 8237, and 8241 of the Education Code, relating to early education, 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 Transportation

April 5, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 397
Assembly Bill No. 877

Assembly Bill No. 1048
Assembly Bill No. 1637

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 397—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 877—An act to amend Section 22651 of the Vehicle Code, relating to vehicles.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1048—An act to amend Sections 15242 and 34501.12 of the Vehicle Code, relating to motor carriers.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1637—An act to amend Sections 27000 and 42001 of, and to add Section 42001.20 to, the Vehicle Code, relating to vehicles.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS
Committee on Agriculture**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1059

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1059—An act to amend Section 56382.5 of the Food and Agricultural Code, relating to growers.

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 Labor and Employment**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 985

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 985—An act to add Section 230.5 to the Labor Code, relating to labor.

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**

April 5, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 439

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 439—An act to amend Sections 290 and 1203.4 of, and to repeal Section 290.1 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 Environmental Safety and Toxic Materials

April 5, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Joint Resolution No. 8

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY JOINT RESOLUTION NO. 8—Relative to marine pollution.

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 Business and Professions

April 5, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 593

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 593—An act to add Chapter 11.7 (commencing with Section 66970) to Part 40 of the Education Code, to amend Sections 11011 and 54221 of, and to add Part 11.5 (commencing with Section 15870) to Division 3 of Title 2 of, the Government Code, relating to state property, 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 Environmental Safety and Toxic Materials

April 5, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1168

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 1168—An act to add Section 116294 to the Health and Safety Code, relating to public water systems.

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 Environmental Safety and Toxic Materials

April 5, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 362

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 362—An act to amend Section 13292 of the Water Code, relating to water quality control agencies.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

April 5, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1245

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 1245—An act to add Chapter 7.8 (commencing with Section 12929.49) to Part 6 of Division 6 of the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Judiciary

April 5, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 1130

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 1130—An act to amend Section 4519.7 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Banking and Finance

April 5, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 1433

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 1433—An act to amend Section 65580 of the Government Code, relating to housing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Business and Professions

April 5, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 370

Assembly Bill No. 1163

Assembly Bill No. 665

Assembly Bill No. 1520

Assembly Bill No. 695

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 370—An act to add Section 3137 to the Business and Professions Code, relating to optometry.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 665—An act to amend Section 51032 of the Government Code, relating to massage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 695—An act to amend Section 1723 of, and to add Section 1724 to, the Civil Code, relating to retail sales.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1163—An act to amend Section 9875 of, to add Sections 9875.3 and 9875.4 to, and to repeal and add Section 9875.1 of, the Business and Professions Code, relating to motor vehicle replacement parts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1520—An act to amend Section 21800 of the Vehicle Code, relating to vehicles.

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 Revenue and Taxation**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 343

With the recommendation: Do pass.

KLEHS, Chair

Above bill ordered to second reading.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 483

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KLEHS, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 357

With the recommendation: Do pass, and be re-referred to the Committee on Veterans Affairs.

KLEHS, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Committee on Banking and Finance

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:
Assembly Bill No. 843

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CALDERON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:
Assembly Bill No. 424

With amendments with the recommendation: Do pass as amended, and be re-referred to the Committee on Public Safety with the recommendation: To Consent Calendar.

CALDERON, Chair

Above bill ordered to second reading.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:
Assembly Bill No. 434

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.

CALDERON, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 830

With the recommendation: Do pass, and be re-referred to the Committee on Revenue and Taxation.

ARAMBULA, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Committee on Banking and Finance

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 535

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CALDERON, Chair

Above bill ordered to second reading.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 339

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

CALDERON, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Transportation

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 23

With amendments with the recommendation: Amend, be adopted as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolution ordered to second reading.

Committee on Judiciary

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 174

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.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 262

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 118

Assembly Bill No. 429

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 220

Assembly Bill No. 1553

With the recommendation: Do pass.

JONES, Chair

Above bills ordered to second reading.

Committee on Transportation

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 20

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: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 489

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 56

Assembly Bill No. 107

Assembly Bill No. 383

Assembly Bill No. 694

Assembly Bill No. 697

Assembly Bill No. 785

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: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 70

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 160

With the recommendation: Do pass, and be re-referred to the Committee on Veterans Affairs.

OROPEZA, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 26

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

OROPEZA, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:
Assembly Joint Resolution No. 5

With the recommendation: Be adopted.

OROPEZA, Chair

Above resolution ordered to third reading.

Committee on Utilities and Commerce

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:
Assembly Bill No. 200

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.

LEVINE, Chair

Above bill ordered to second reading.

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:
Assembly Bill No. 993

With the recommendation: Do pass, and be re-referred to the Committee on Natural Resources.

LEVINE, Chair

Above bill re-referred to the Committee on Natural Resources.

Committee on Transportation

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:
Senate Concurrent Resolution No. 5

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolution re-referred to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 304—An act to add Section 19162.5 to the Health and Safety Code, relating to building standards.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 180—An act to amend Sections 6738 and 8729 of the Business and Professions Code, and to amend Sections 16101, 16956, and 16959 of the Corporations Code, relating to limited liability partnerships.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Banking and Finance.

ASSEMBLY BILL NO. 466—An act to add Section 5019.90 to the Public Resources Code, relating to parks and recreation.

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.

ASSEMBLY BILL NO. 315—An act to add Section 17077.36 to the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 299—An act to amend Section 11166 of the Penal Code, relating to mandatory child abuse reporting.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 219—An act to amend Sections 14901 and 14910 of, and to add Section 14914 to, the Government Code, relating to state agencies.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 179—An act to add Section 1569.889 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Aging and Long-Term Care.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 6, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 5, 2005**

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
36	0509745	721	0510491
75	0510566	826	0509899
76	0510267	877	0510574
78	0510618	927	0509691
179	0510455	985	0510529
180	0510384	1048	0510738
196	0509815	1059	0509125
219	0510357	1072	0509765
228	0510736	1130	0510348
304	0510460	1163	0510653
315	0510483	1168	0510536
362	0510655	1234	0510614
370	0510753	1245	0510355
397	0510647	1361	0509787
439	0509712	1433	0509875
466	0510358	1436	0510470
497	0509878	1520	0509570
593	0510686	1637	0510786
657	0510692		
665	0510128	AJR	RN
695	0510747	8	0510577
Daily Total:		40	
Cumulative Total:		420	

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 6, 2005

FORTY-NINTH SESSION DAY

ONE HUNDRED TWENTY-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
Wednesday, April 6, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aghazarian	Dymally	La Suer	Parra
Arambula	Emmerson	Laird	Pavley
Baca	Evans	Leno	Plescia
Bass	Frommer	Leslie	Richman
Benoit	Garcia	Levine	Runner
Berg	Goldberg	Lieber	Ruskin
Bermúdez	Hancock	Liu	Saldaña
Blakeslee	Harman	Matthews	Salinas
Bogh	Haynes	Maze	Strickland
Calderon	Horton, Jerome	McCarthy	Torrico
Canciamilla	Horton, Shirley	Montañez	Tran
Chan	Houston	Mountjoy	Umberg
Chavez	Huff	Mullin	Villines
Chu	Jones	Nakanishi	Walters
Cogdill	Karnette	Nation	Wolk
Coto	Keene	Nava	Wyland
Daucher	Kleh	Negrete McLeod	Yee
De La Torre	Koretz	Niello	Mr. Speaker
DeVore	La Malfa	Oropeza	

Quorum present.

At 10:41 a.m., Hon. Rick Keene, 3rd 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 Cohn, Ridley-Thomas, and Spitzer.

On personal business, and waiving per diem: Assembly Member Vargas.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 6, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez: I respectfully request to be excused from check-in session on Wednesday, April 6, 2005 due to meetings in the district.

Cordially yours,

REBECCA COHN, Assembly Member
Twenty-fourth District

April 1, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I write to request permission to be excused from Session on Wednesday and Thursday, April 6 and 7, 2005. 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 Bobbie Sardo at (916) 319-2048.

With hope,

MARK RIDLEY-THOMAS, Assembly Member
Forty-eighth District

March 30, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
Room 219, State Capitol Building
Sacramento, California*

Dear Mr. Speaker: I would like to be excused from check-in session on Wednesday, April 6, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 5, 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 Assemblymembers Lloyd Levine, Cindy Montañez and Gene Mullin to replace Assemblymembers Mike Gordon, Jenny Oropeza and Mark Ridley-Thomas on the Assembly Appropriations Committee for the Wednesday, April 6th hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 6, 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 the following members to the Select Committee on Wine:

Assemblymember Greg Aghazarian
 Assemblymember John Benoit
 Assemblymember Sam Blakeslee
 Assemblymember Patty Berg
 Assemblymember Dario Frommer
 Assemblymember Pedro Nava
 Assemblymember Simón Salinas
 Assemblymember Lois Wolk

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Select Committee on Children's Physical and Mental Well-Being in Diverse Communities, on Thursday, May 5, 2005, at noon, or upon adjournment of Floor Session.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 6, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 5

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 6, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 304

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 6, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 36

Assembly Bill No. 75

Assembly Bill No. 76

Assembly Bill No. 78

Assembly Bill No. 179

Assembly Bill No. 180

Assembly Bill No. 196

Assembly Bill No. 219

Assembly Bill No. 228

Assembly Bill No. 315

Assembly Bill No. 362

Assembly Bill No. 370

Assembly Bill No. 397

Assembly Bill No. 439

Assembly Bill No. 466

Assembly Bill No. 497

Assembly Bill No. 593

Assembly Bill No. 657

Assembly Bill No. 665

Assembly Bill No. 695

Assembly Bill No. 721

Assembly Bill No. 826

Assembly Bill No. 877

Assembly Bill No. 927

Assembly Bill No. 985

Assembly Bill No. 1048

Assembly Bill No. 1059

Assembly Bill No. 1072

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 6, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1130

Assembly Bill No. 1163

Assembly Bill No. 1168

Assembly Bill No. 1234

Assembly Bill No. 1245

Assembly Bill No. 1361

Assembly Bill No. 1433

Assembly Bill No. 1436

Assembly Bill No. 1520

Assembly Bill No. 1637

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 6, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 48—Goldberg (Coauthors: Bass, Chu, Daucher, Garcia, Hancock, Karnette, Lieber, Liu, Matthews, Negrete McLeod, Pavley, Sharon Runner, and Wolk) (Coauthors: Senators Alquist, Bowen, Ducheny, Escutia, Figueroa, Kuehl, Ortiz, and Soto). Relative to the Girl Scouts.

AUTHOR'S AMENDMENTS
Committee on Public Safety

April 6, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 305

Assembly Bill No. 1127

Assembly Bill No. 308

Assembly Bill No. 1325

Assembly Bill No. 795

Assembly Bill No. 1551

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 305—An act to amend Sections 2800.1, 2800.2, 2800.3, and 40000.7 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 308—An act to amend Section 594 of the Penal Code, relating to crimes.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 795—An act to amend Section 830.3 of the Penal Code, relating to peace officers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1127—An act to add and repeal Section 40904 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1325—An act to amend Section 23109 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1551—An act to amend Sections 209, 220, 667.51, 667.61, 667.71, 3000, and 3001 of the Penal Code, relating to crimes.

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

April 6, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 856

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 856—An act to amend Sections 32556, 32557, and 32560 of, and to repeal Section 32562 of, the Public Resources Code, relating to land conservation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 6, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 802
Assembly Bill No. 1033
Assembly Bill No. 1590

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 802—An act to amend Section 65302 of the Government Code, relating to local planning.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1033—An act to add Section 97.80 to the Revenue and Taxation Code, relating to local government 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.

ASSEMBLY BILL NO. 1590—An act to amend Section 97.72 of the Revenue and Taxation Code, relating to local government finance, 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 Education

April 6, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1261

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1261—An act to amend Sections 48853, 48853.5, 48859, and 49069.5 of the Education Code, and to amend Section 319 of the Welfare and Institutions Code, relating to foster children.

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

April 6, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1010

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1010—An act to amend Section 99152 of, and to add Sections 99152.1 and 99152.2 to, the Public Utilities Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

April 6, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 52

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 52—An act to amend Section 19577 of the Business and Professions Code, relating to horseracing.

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 Utilities and Commerce

April 6, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 515

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 515—An act to add Section 367.6 to the Public Utilities Code, relating to electrical restructuring.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Human Services

April 6, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 899
Assembly Bill No. 1298

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 899—An act to add Section 12303.45 to the Welfare and Institutions Code, relating to public social services.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1298—An act to add Section 12693.756 to the Insurance Code, to amend Section 18905.1 of, and to add Sections 11155.6 and 14005.41 to, the Welfare and Institutions Code, relating to public social services.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS
Committee on Public Safety**

April 6, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 240

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 240—An act to add Section 290.2 to 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 Judiciary**

April 6, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 423

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 423—An act to amend Section 43.55 of the Civil Code, relating to liability.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS
Committee on Insurance**

April 6, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 837

Assembly Bill No. 1122

Assembly Bill No. 1124

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 837—An act to amend Section 106 of, and to add Section 10110.5 to, the Insurance Code, relating to insurance.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1122—An act to amend Section 672 of the Insurance Code, relating to auto insurance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1124—An act to amend Section 3550 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Housing and Community Development

April 6, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 939
 Assembly Bill No. 1383
 Assembly Bill No. 1512

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 939—An act to amend Section 33334.30 of the Health and Safety Code, relating to redevelopment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1383—An act to add and repeal Chapter 5.6 (commencing with Section 25460) of Division 15 of the Public Resources Code, relating to energy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1512—An act to amend Section 50911 of the Health and Safety Code, relating to housing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Health

April 6, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 74	Assembly Bill No. 1346
Assembly Bill No. 977	Assembly Bill No. 1701
Assembly Bill No. 1085	

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 74—An act to add Article 5 (commencing with Section 110243) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 977—An act to add Section 1375 to the Health and Safety Code, and to add Section 10191.5 to the Insurance Code, relating to health care coverage.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1085—An act to amend Section 12699.53 of the Insurance Code, relating to health care coverage.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1346—An act to amend Section 1250 of the Health and Safety Code, relating to health facilities.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1701—An act to amend Section 102249 of, and to add Section 103625.5 to, the Health and Safety Code, relating to vital records.

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 Environmental Safety and Toxic Materials

April 6, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

- Assembly Bill No. 371
- Assembly Bill No. 841
- Assembly Bill No. 1360

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 371—An act to amend Sections 5410 and 5415 of the Health and Safety Code, and to amend Sections 13260, 13521, and 13523 of, and to add Sections 13552.1, 13552.5, 13555.5, and 13557 to, the Water Code, relating to water.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 841—An act to amend Section 39619.5 of the Health and Safety Code, relating to air quality.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1360—An act to add Section 25355.1 to the Health and Safety Code, relating to hazardous substances.

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 Utilities and Commerce

April 6, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
 Assembly Bill No. 746
 Assembly Bill No. 1332

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 746—An act to add Section 755 to the Public Utilities Code, relating to public utilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1332—An act to add Section 354 to the Public Utilities Code, relating to distributed generation.

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 Higher Education

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 318

Assembly Bill No. 982

Assembly Bill No. 473

Assembly Bill No. 1137

Assembly Bill No. 529

Assembly Bill No. 1452

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 947

Assembly Bill No. 961

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LIU, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Banking and Finance

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 382

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CALDERON, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Higher Education

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Higher Education reports:
Assembly Concurrent Resolution No. 22
With the recommendation: Be adopted.

LIU, Chair

Above resolution ordered to third reading.

Committee on Public Safety

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 324 Assembly Bill No. 1188
Assembly Bill No. 352 Assembly Bill No. 1237
Assembly Bill No. 418 Assembly Bill No. 1426
Assembly Bill No. 465 Assembly Bill No. 1566
Assembly Bill No. 1106

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 404
Assembly Bill No. 557

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.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 988
Assembly Bill No. 1267

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 360
Assembly Bill No. 392

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 522

With the recommendation: Do pass, and be re-referred to the Committee on Business and Professions with recommendation: To Consent Calendar.

CHAN, Chair

Above bill re-referred to the Committee on Business and Professions.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 330

Assembly Bill No. 711

Assembly Bill No. 547

Assembly Bill No. 1058

Assembly Bill No. 631

Assembly Bill No. 1239

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Elections and Redistricting

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 216

Assembly Bill No. 709

Assembly Bill No. 432

Assembly Bill No. 866

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 1391

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

UMBERG, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports:

Senate Concurrent Resolution No. 4

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Elections and Redistricting

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 783

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

UMBERG, Chair

Above bill ordered to second reading.

Committee on Aging and Long-Term Care

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 484

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety.

BERG, Chair

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 230

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BERG, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 18

Assembly Bill No. 111

Assembly Bill No. 32

Assembly Bill No. 124

Assembly Bill No. 43

Assembly Bill No. 190

Assembly Bill No. 68

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 33

Assembly Bill No. 279

Assembly Bill No. 65

Assembly Bill No. 641

Assembly Bill No. 86

Assembly Bill No. 831

Assembly Bill No. 241

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 268

Assembly Bill No. 367

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 bills be placed on the Consent Calendar.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 1

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.

CHU, Chair

Above resolution ordered to the Consent Calendar.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 176
 Assembly Bill No. 274
 Assembly Bill No. 284
 Assembly Bill No. 297
 Assembly Bill No. 643
 Assembly Bill No. 708
 Assembly Bill No. 742
 Assembly Bill No. 844

Assembly Bill No. 884
 Assembly Bill No. 1019
 Assembly Bill No. 1186
 Assembly Bill No. 1368
 Assembly Bill No. 1369
 Assembly Bill No. 1373
 Assembly Bill No. 1567

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

TORRICO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 456

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety.

TORRICO, Chair

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 276

With the recommendation: Do pass, and be re-referred to the Committee on Veterans Affairs.

TORRICO, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1066

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

TORRICO, Chair

Above bill ordered to second reading.

Date of Hearing: March 16, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 271

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

TORRICO, Chair

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 350

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 121

Senate Bill No. 122

Senate Bill No. 123

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.

SALINAS, Chair

Above bills ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 796

Assembly Bill No. 981

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.

SALINAS, Chair

Above bills ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1438

With the recommendation: Do pass.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 799

With the recommendation: Do pass, and be re-referred to the Committee on Revenue and Taxation.

SALINAS, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Joint Resolution No. 13

With the recommendation: Be adopted.

TORRICO, Chair

Above resolution ordered to third reading.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 304, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 343—An act to add Section 7284.5 to the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 424—An act to amend Sections 530.5, 530.6, and 530.8 of the Penal Code, relating to crime.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Public Safety.

ASSEMBLY BILL NO. 434—An act to amend Section 14860 of the Financial Code, relating to credit unions.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 535—An act to amend Section 12100 of, to add Division 3.5 (commencing with Section 12500) to, and to repeal Section 12104 of, the Financial Code, relating to credit counselors.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY CONCURRENT RESOLUTION NO. 23—Relative to commercial truck traffic.

Resolution read; amendments proposed by the Committee on Transportation read and adopted; resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 220—An act to amend Sections 4801, 5075.5, and 13823.9 of the Penal Code, to amend Section 3030 of the Family Code, and to amend Section 340.3 of the Code of Civil Procedure, relating to domestic violence.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 174—An act to amend Section 507 of the Pajaro Valley Water Management Agency Act (Chapter 257 of the Statutes of 1984), relating to the Pajaro Valley Water Management Agency.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1553—An act to add Section 1281.12 to the Code of Civil Procedure, relating to arbitration.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 200—An act to add Section 399.17 to the Public Utilities Code, relating to renewable energy resources.

Bill read second time, and ordered to Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 6, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1553

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 6, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 174

Assembly Bill No. 200

Assembly Bill No. 434

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9:30 a.m., Thursday, April 7, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 6, 2005

—————

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
52	0510834	1033	0509836
74	0510721	1085	0510411
240	0510466	1122	0510810
305	0510340	1124	0510691
308	0510527	1127	0509190
371	0510500	1261	0510372
423	0510270	1298	0510754
424	0510454	1325	0510558
515	0510269	1332	0509688
535	0510515	1346	0510296
746	0510080	1360	0510755
795	0510768	1383	0510980
802	0510200	1512	0509761
837	0510734	1551	0510528
841	0510842	1590	0510803
856	0510848	1701	0510175
899	0510713		
939	0510725	ACR	RN
977	0510916	23	0510593
1010	0510611		

Daily Total:	37
Cumulative Total:	457

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 7, 2005

FIFTIETH SESSION DAY

ONE HUNDRED TWENTY-THIRD 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
Thursday, April 7, 2005

The Assembly met at 9:30 a.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 Mountjoy moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:33 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—75:

Aghazarian	DeVore	La Malfa	Pavley
Arambula	Dymally	La Suer	Plescia
Baca	Emmerson	Laird	Richman
Bass	Evans	Leno	Runner
Benoit	Frommer	Leslie	Ruskin
Berg	Garcia	Levine	Saldaña
Bermúdez	Goldberg	Liu	Salinas
Blakeslee	Hancock	Matthews	Spitzer
Bogh	Harman	Maze	Strickland
Calderon	Haynes	McCarthy	Torrico
Canciamilla	Horton, Jerome	Montañez	Tran
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Villines
Chu	Huff	Nakanishi	Walters
Cogdill	Jones	Nava	Wolk
Cohn	Karnette	Negrete McLeod	Wyland
Coto	Keene	Niello	Yee
Daucher	Klehs	Oropeza	Mr. Speaker
De La Torre	Koretz	Parra	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, We rely on You for so many things that they sometimes escape our attention. But You have always been there to provide for us, to protect us and guide us. You have promised that we can do all things with You on our side. Give us Your wisdom, Lord, to make the right decisions today and the strength to stand strong no matter what life brings.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Dymally then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Lieber, Nation, and Ridley-Thomas.

Because of illness: Assembly Member Gordon.

Due to travel delays: Assembly Member Umberg.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 6, 2005

*The Honorable Fabian Núñez
Speaker of the State Assembly
State Capitol
Sacramento, California*

Dear Speaker Núñez: I would like to be excused from Floor Session on April 7, 2005 due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Cory Jasperson, at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

March 16, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Legislative Floor Session on Thursday, April 7, 2005 due to legislative business.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

(NOTE: For letter explaining the absence of Assembly Member Ridley-Thomas on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 6, 2005.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 7, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 13

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 7, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 52

Assembly Bill No. 841

Assembly Bill No. 74

Assembly Bill No. 856

Assembly Bill No. 240

Assembly Bill No. 899

Assembly Bill No. 305

Assembly Bill No. 939

Assembly Bill No. 308

Assembly Bill No. 977

Assembly Bill No. 371

Assembly Bill No. 1010

Assembly Bill No. 423

Assembly Bill No. 1033

Assembly Bill No. 424

Assembly Bill No. 1085

Assembly Bill No. 515

Assembly Bill No. 1122

Assembly Bill No. 535

Assembly Bill No. 1124

Assembly Bill No. 746

Assembly Bill No. 1127

Assembly Bill No. 795

Assembly Bill No. 1261

Assembly Bill No. 802

Assembly Bill No. 1298

Assembly Bill No. 837

Assembly Bill No. 1325

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 7, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1332

Assembly Bill No. 1512

Assembly Bill No. 1346

Assembly Bill No. 1551

Assembly Bill No. 1360

Assembly Bill No. 1590

Assembly Bill No. 1383

Assembly Bill No. 1701

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 7, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 23

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
231	Pub. S.
256	P.E.,R. & S.S.
326	U. & C.
336	Pub. S.
369	E. & R.
494	Ed.
558	W.,P. & W.
570	Pub. S.
616	G.O.
629	Pub. S.
756	Ed.
772	Health
822	L. & E.
925	Ins.
1002	W.,P. & W.
1031	Trans.
1037	Rev. & Tax.
1172	L. & E.
1208	L. Gov. and Trans.
1285	Hum. S.
1307	Jud.
1366	Higher Ed.
1379	Hum. S.
1384	Trans.
1420	Ed.
1542	Pub. S.
1574	Jud. and H. & C.D.
1580	Rev. & Tax. and L. Gov.
1587	Agri. and Pub. S.
1597	Health
1620	G.O.
1646	Higher Ed.
1687	B. & F.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
46	Trans.
47	Trans.

*Assembly Joint**Resolution No.**Committee***18** ----- Trans.*Senate Concurrent**Resolution No.**Committee***35** ----- Rls.**BILLS PLACED ON INACTIVE FILE**

The following resolution was placed upon the inactive file:

Assembly Concurrent Resolution No. 18, on request of Assembly Member Frommer.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 319 from the Committee on Health to the Committee on Environmental Safety and Toxic Materials;

Assembly Bill No. 826 from the Committee on Education to the Committee on Agriculture and to be returned to the Committee on Education;

Assembly Bill No. 820 from the Committee on Jobs, Economic Development, and the Economy to the Committee on Water, Parks and Wildlife and to the Committee on Judiciary;

Assembly Bill No. 848 from the Committee on Water, Parks and Wildlife to the Committee on Natural Resources and to be returned to the Committee on Water, Parks and Wildlife;

Assembly Bill No. 1029 from the Committee on Revenue and Taxation to the Committee on Governmental Organization and to be returned to the Committee on Revenue and Taxation;

Assembly Bill No. 1259 from the Committee on Revenue and Taxation to the Committee on Local Government and to the Committee on Housing and Community Development;

Assembly Bill No. 1638 from the Committee on Human Services to the Committee on Judiciary;

Assembly Bill No. 1661 from the Committee on Governmental Organization to the Committee on Insurance.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 404—An act to amend Section 1810.7 of the Insurance Code, relating to bail licenses.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 557—An act to amend Section 872 of the Penal Code, relating to criminal procedure.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 783—An act to amend Section 13001 of the Elections Code, relating to elections.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 18—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.95, 195.96, and 195.97 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 32—An act to amend Sections 42801 and 42823 of the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 43—An act to amend Section 15342 of the Elections Code relating to elections.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 68—An act to amend Section 2982 of, and to add Sections 2982.2 and 2982.10 to, the Civil Code, to add Section 6012.3 to the Revenue and Taxation Code, and to amend Sections 11709.2 and 11713.1 of, and to add Section 11713.16 to, the Vehicle Code, relating to consumers.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 111—An act to amend Section 23399 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 124—An act to amend Sections 19790, 19791, 19792, 19792.5, 19793, 19794, 19795, 19796, 19797, and 19798 of, and to amend the heading of Chapter 12 (commencing with Section 19790) of Part 2 of Division 5 of Title 2 of, the Government Code, relating to state civil service.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 190—An act to add and repeal Article 13.51 (commencing with Section 18846) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 33—An act to amend Sections 272 and 502.01 of the Penal Code, relating to crime.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 65—An act to amend Section 14087.54 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 86—An act to amend Section 11108 of the Penal Code, relating to firearms.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 241—An act to amend Section 1107.5 of, and to add Sections 6020.5, 8020.5, 12550.5, 15678.10, 16915.5, and 17554.5 to, the Corporations Code, relating to business entities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 279—An act to amend Section 17002 of the Corporations Code, and to amend Section 16430 of the Government Code, relating to limited liability companies, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 641—An act to amend Section 11226 of the Business and Professions Code, relating to real estate.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 831—An act to amend Section 49436 of, and to repeal Section 32228.6 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 268—An act to amend Sections 802.1, 802.5, 803, 803.5, 803.6, and 810 of the Business and Professions Code, relating to healing arts.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 367—An act to amend Section 2083 of the Business and Professions Code, relating to physicians and surgeons.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1066—An act to amend Sections 19130 and 19131 of the Government Code, relating to public employment.

Bill read second time; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 271—An act to add Section 19060 to the Government Code, relating to state employees.

Bill read second time; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 796—An act to amend Section 18339 of the Education Code, relating to library districts.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1438—An act to amend Section 54953 of the Government Code, relating to local agencies.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 981—An act to add Section 6535 to the Government Code, relating to joint powers authority.

Bill read second time, and ordered to Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 121—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 122—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 123—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

Bill read second time, and ordered to Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 7, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 65

Assembly Bill No. 557

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 7, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 68

Assembly Bill No. 111

Assembly Bill No. 124

Assembly Bill No. 1438

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 286 (Matthews)—An act to add Section 21100.7 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

Aghazarian	DeVore	La Malfa	Pavley
Arambula	Dymally	La Suer	Plescia
Baca	Emmerson	Laird	Runner
Bass	Evans	Leno	Ruskin
Benoit	Frommer	Leslie	Saldaña
Berg	Garcia	Liu	Salinas
Bermúdez	Goldberg	Matthews	Spitzer
Blakeslee	Hancock	Maze	Strickland
Bogh	Harman	McCarthy	Torrico
Calderon	Horton, Jerome	Montañez	Tran
Canciamilla	Horton, Shirley	Mountjoy	Vargas
Chan	Houston	Mullin	Villines
Chavez	Huff	Nakanishi	Walters
Chu	Jones	Nava	Wolk
Cogdill	Karnette	Negrete McLeod	Wyland
Cohn	Keene	Niello	Yee
Coto	Klehs	Oropeza	Mr. Speaker
Daucher	Koretz	Parra	

NOES—1

De La Torre

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—71

Aghazarian	DeVore	La Malfa	Pavley
Arambula	Dymally	La Suer	Plescia
Baca	Emmerson	Laird	Runner
Bass	Evans	Leno	Ruskin
Benoit	Frommer	Leslie	Saldaña
Berg	Garcia	Liu	Salinas
Bermúdez	Goldberg	Matthews	Spitzer
Blakeslee	Hancock	Maze	Strickland
Bogh	Harman	McCarthy	Torrico
Calderon	Horton, Jerome	Montañez	Tran
Canciamilla	Horton, Shirley	Mountjoy	Vargas
Chan	Houston	Mullin	Villines
Chavez	Huff	Nakanishi	Walters
Chu	Jones	Nava	Wolk
Cogdill	Karnette	Negrete McLeod	Wyland
Cohn	Keene	Niello	Yee
Coto	Klehs	Oropeza	Mr. Speaker
Daucher	Koretz	Parra	

NOES—1

De La Torre

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 463 (Tran)—An act to amend Section 54957 of the Government Code, relating to local agencies.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	DeVore	Koretz	Parra
Arambula	Dymally	La Malfa	Pavley
Baca	Emmerson	La Suer	Plescia
Bass	Evans	Laird	Runner
Benoit	Frommer	Leno	Ruskin
Berg	Garcia	Leslie	Salinas
Bermúdez	Goldberg	Levine	Spitzer
Blakeslee	Hancock	Liu	Strickland
Bogh	Harman	Maze	Torrico
Calderon	Haynes	McCarthy	Tran
Canciamilla	Horton, Jerome	Montañez	Vargas
Chan	Horton, Shirley	Mountjoy	Villines
Chavez	Houston	Mullin	Walters
Chu	Huff	Nakanishi	Wolk
Cogdill	Jones	Nava	Wyland
Cohn	Karnette	Negrete McLeod	Yee
Coto	Keene	Niello	Mr. Speaker
Daucher	Klehs	Oropeza	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 299 (Maze)—An act to amend Section 11166 of the Penal Code, relating to mandatory child abuse reporting.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	DeVore	La Malfa	Pavley
Arambula	Dymally	La Suer	Plescia
Baca	Emmerson	Laird	Runner
Bass	Evans	Leno	Ruskin
Benoit	Frommer	Leslie	Saldaña
Berg	Garcia	Levine	Salinas
Bermúdez	Goldberg	Liu	Spitzer
Blakeslee	Hancock	Matthews	Strickland
Bogh	Harman	Maze	Torrico
Calderon	Haynes	McCarthy	Tran
Canciamilla	Horton, Jerome	Montañez	Vargas
Chan	Horton, Shirley	Mountjoy	Villines
Chavez	Houston	Mullin	Walters
Chu	Huff	Nakanishi	Wolk
Cogdill	Jones	Nava	Wyland
Cohn	Karnette	Negrete McLeod	Yee
Coto	Keene	Niello	Mr. Speaker
Daucher	Klehs	Oropeza	
De La Torre	Koretz	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 343 (Huff)—An act to add Section 7284.5 to the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—50

Aghazarian	Garcia	La Suer	Parra
Baca	Hancock	Leno	Plescia
Bermúdez	Harman	Leslie	Runner
Blakeslee	Haynes	Levine	Salinas
Bogh	Horton, Jerome	Liu	Spitzer
Chavez	Horton, Shirley	Matthews	Strickland
Chu	Houston	Maze	Tran
Cogdill	Huff	McCarthy	Vargas
Daucher	Jones	Montañez	Villines
De La Torre	Karnette	Mountjoy	Walters
DeVore	Keene	Nakanishi	Wyland
Emmerson	Klehs	Negrete McLeod	
Evans	La Malfa	Niello	

NOES—18

Bass	Cohn	Koretz	Saldaña
Benoit	Coto	Laird	Wolk
Berg	Dymally	Nava	Yee
Calderon	Frommer	Pavley	
Canciamilla	Goldberg	Ruskin	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 220 (Committee on Public Safety)—An act to amend Sections 4801, 5075.5, and 13823.9 of the Penal Code, to amend Section 3030 of the Family Code, and to amend Section 340.3 of the Code of Civil Procedure, relating to domestic violence.

Bill read third time, presented by Assembly Member Leno, and passed by the following vote:

AYES—58

Aghazarian	De La Torre	Karnette	Parra
Arambula	DeVore	Klehs	Pavley
Baca	Dymally	Koretz	Ruskin
Bass	Emmerson	Laird	Saldaña
Berg	Evans	Leno	Salinas
Bermúdez	Frommer	Levine	Spitzer
Bogh	Garcia	Liu	Strickland
Calderon	Goldberg	Matthews	Torrico
Canciamilla	Hancock	Montañez	Tran
Chan	Harman	Mullin	Vargas
Chavez	Horton, Jerome	Nakanishi	Wolk
Chu	Horton, Shirley	Nava	Yee
Cohn	Houston	Negrete McLeod	Mr. Speaker
Coto	Huff	Niello	
Daucher	Jones	Oropeza	

NOES—12

Blakeslee	La Suer	McCarthy	Villines
Haynes	Leslie	Plescia	Walters
Keene	Maze	Runner	Wyland

Vote Changes

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 220: Assembly Members McCarthy and Runner from “Aye” to “No”.

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 22 (Dymally)—Relative to the Charles R. Drew University of Medicine and Science and the Martin Luther King General Hospital.

Resolution read, and adopted by the following vote:

AYES—46

Arambula	De La Torre	Laird	Pavley
Baca	Dymally	Leno	Ruskin
Bass	Evans	Leslie	Saldaña
Berg	Frommer	Levine	Salinas
Bermúdez	Goldberg	Liu	Torrico
Calderon	Hancock	Matthews	Tran
Chan	Horton, Jerome	Montañez	Vargas
Chavez	Horton, Shirley	Mullin	Wolk
Chu	Jones	Nava	Yee
Cohn	Karnette	Negrete McLeod	Mr. Speaker
Coto	Klehs	Oropeza	
Daucher	Koretz	Parra	

NOES—24

Aghazarian	Emmerson	Keene	Plescia
Benoit	Garcia	La Malfa	Spitzer
Blakeslee	Harman	Maze	Strickland
Bogh	Haynes	McCarthy	Villines
Cogdill	Houston	Nakanishi	Walters
DeVore	Huff	Niello	Wyland

Resolution ordered transmitted to the Senate.

ASSEMBLY BILL NO. 15 (Jerome Horton)—An act to amend Section 51221.4 of the Education Code, relating to curriculum.

Bill read third time.

Motion to Amend

Assembly Member Jerome Horton moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

THIRD READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. 23 (Scott)—Relative to Lyme Disease Awareness Week.

Resolution read, and presented by Assembly Member Ruskin.

Members Made Coauthors of Senate Concurrent Resolution No. 23

Assembly Member Ruskin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 23.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Levine, Liu, Matthews, Maze, McCarthy, Montañez, Mullin, Nakanishi, Nava, Niello, Núñez, Oropeza, Parra, Plescia, Runner, Saldaña, Salinas, Spitzer, Torrico, Tran, Vargas, Villines, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Ruskin was granted unanimous consent to take up Senate Concurrent Resolution No. 23, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 23, as Amended

SENATE CONCURRENT RESOLUTION NO. 23—Relative to Lyme Disease Awareness Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 254 (Nakanishi)—An act to amend Section 1797.196 of the Health and Safety Code, relating to emergency medical services.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 519 (Leno)—An act to amend Sections 213.5 and 366.26 of the Welfare and Institutions Code, relating to children.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1342 (Committee on Environmental Safety and Toxic Materials)—An act to amend Section 25360.2 of the Health and Safety Code relating to hazardous substance releases.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 543 (Houston)—An act to add and repeal Section 4019.1 of the Penal Code, relating to the Contra Costa County jail.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 627 (Leslie)—An act to amend Section 5009 of the Penal Code, relating to parolees.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 17 (Karnette)—Relative to language education.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's
Consent Calendar roll call.)*

HOUSE RESOLUTION NO. 8 (Wolk)—Relative to National Library Week.

Resolution read and adopted.

*(For the vote on the above resolution, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1318 (Evans)—An act to amend Section 24011 of the Government Code, relating to county officers.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1443 (Hancock)—An act to amend Sections 26908.5 and 36525 of the Government Code, relating to local agency auditors.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

Consent Calendar—Senate Resolution

SENATE CONCURRENT RESOLUTION NO. 13 (Battin)—Relative to Child Abuse Prevention 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—71

Aghazarian	De La Torre	Koretz	Pavley
Arambula	DeVore	La Malfa	Plescia
Baca	Dymally	Laird	Runner
Bass	Emmerson	Leno	Ruskin
Benoit	Evans	Leslie	Saldaña
Berg	Garcia	Levine	Salinas
Bermúdez	Goldberg	Liu	Spitzer
Blakeslee	Hancock	Matthews	Strickland
Bogh	Harman	Maze	Torrico
Calderon	Haynes	McCarthy	Tran
Canciamilla	Horton, Jerome	Montañez	Vargas
Chan	Horton, Shirley	Mullin	Villines
Chavez	Houston	Nakanishi	Walters
Chu	Huff	Nava	Wolk
Cogdill	Jones	Negrete McLeod	Wyland
Cohn	Karnette	Niello	Yee
Coto	Keene	Oropeza	Mr. Speaker
Daucher	Klehs	Parra	

NOES—None**ADJOURN IN MEMORY**

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ned Baughman, of Los Angeles and John T. McTernan, of Santa Monica.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gino Marconi, of Mt. Shasta.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Mullin, Leno and Yee were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Boyd Stephens, of Daly City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Josie Bain, of Los Angeles.

Assembly Member Klehs was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lenore Agnes Holle, of San Leandro.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Donald Falsarella, of Millbrae.

Assembly Member Oropeza was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the Honorable G. Thomas Thompson, of Long Beach.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dale Reed, of Lancaster.

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 Susan Earl Collins, of Davis; Patricia Flaherty Raycraft, of Dixon; Dorothy Wellman, of Fairfield; Tim Crow, Fred Dodson, David Gorohoff, and Linda Marie Murphy, of Vacaville; Delbert Davis, of West Sacramento; Elmer Alford Amen, Sr., Susan F. Basha, Larry John Hein, and Frederick Emory Polete, Jr., of Woodland.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 286 and Urgency: Bermúdez, Blakeslee, Chavez, Chu, Jerome Horton, Shirley Horton, Houston, Karnette, La Malfa, Oropeza, Plescia, Ruskin, Spitzer, Strickland, and Wyland—Aye.

Assembly Bill No. 463: Chavez, Hancock, Mountjoy, Oropeza, Ruskin, and Spitzer—Aye.

Assembly Bill No. 299: Mountjoy, Oropeza, and Spitzer—Aye.

Assembly Bill No. 343: Blakeslee, Hancock, Jerome Horton, Jones, and Montañez—Aye; Benoit—No.

Assembly Bill No. 220: Bermúdez—Aye; Blakeslee—No.

Assembly Concurrent Resolution No. 22: Frommer—Aye; Blakeslee—No.

Consent Calendar: Oropeza—Aye.

MOTION TO ADJOURN

At 10:31 a.m., Assembly Member Laird moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Bogh, Ruskin, and Mullin arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Laird that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:35 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 49—Frommer. Relative to Caltrans Workers Memorial Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 50—Tran and DeVore. Relative to Pope John Paul II.

ASSEMBLY JOINT RESOLUTION NO. 19—Dymally (Coauthor: Negrete McLeod). Relative to reauthorization of the federal Voting Rights Act of 1965.

AUTHOR'S AMENDMENTS
Committee on Rules

April 7, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:

Assembly Concurrent Resolution No. 40

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 40—Relative to the 85th Anniversary of the League of Women Voters.

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 Utilities and Commerce

April 7, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 326

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 326—An act to amend Section 270 of 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 Labor and Employment

April 7, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 822

Assembly Bill No. 1172

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 822—An act to amend Section 212 of the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1172—An act 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.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 7, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 544
Assembly Bill No. 881
Assembly Bill No. 925

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 544—An act to amend Section 1704 of the Insurance Code, relating to insurance solicitors.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 881—An act to amend, repeal, and add Section 7125 of the Business and Professions Code, and to add and repeal Section 11665 of the Insurance Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 925—An act relating to insurer investments.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

April 7, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 646

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 646—An act to amend Section 273a of the Penal Code, relating to crimes.

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

April 7, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1031
Assembly Bill No. 1384
Assembly Bill No. 1407

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1031—An act to amend Section 34501.12 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1384—An act relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1407—An act to add Division 29 (commencing with Section 38000) to the Public Resources Code, relating to the environment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 7, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 194

Assembly Bill No. 1208

Assembly Bill No. 818

Assembly Bill No. 1702

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 194—An act to amend Section 54960.1 of the Government Code, relating to open meetings.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 818—An act to add Section 56743.5 to the Government Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local agencies.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1208—An act to amend Section 1708 of the Civil Code, relating to civil law.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1702—An act to amend Section 65583 of the Government Code, relating to housing.

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

April 7, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1424

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1424—An act to amend Section 1775.9 of the Insurance Code, and Sections 12491, 12493, 12494, 12495, and 12636.5 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 Human Services

April 7, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 1412

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 1412—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, and 16501.1 of the Welfare and Institutions Code, relating to dependent children.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

April 7, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 1687

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 1687—An act relating to financial institutions.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 7, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 476

Assembly Bill No. 756

Assembly Bill No. 482

Assembly Bill No. 1213

Assembly Bill No. 494

Assembly Bill No. 1420

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 476—An act to amend Sections 13040 and 13041 of the Education Code, relating to California Native Americans, making an appropriation therefor, 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.

ASSEMBLY BILL NO. 482—An act to amend Section 60640 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.

ASSEMBLY BILL NO. 494—An act relating to school 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.

ASSEMBLY BILL NO. 756—An act relating to public schools.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1213—An act to amend Section 60900 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.

ASSEMBLY BILL NO. 1420—An act to amend Section 42238 of 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.

AUTHOR’S AMENDMENTS
Committee on Judiciary

April 7, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 278

Assembly Bill No. 1574

Assembly Bill No. 750

Assembly Bill No. 1638

Assembly Bill No. 1528

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 278—An act to amend Sections 17538.5 and 22780 of the Business and Professions Code, relating to commercial mail receiving agencies.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 750—An act to amend Section 77201.1 of the Government Code, relating to trial court funding.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1528—An act to amend Section 47 of the Civil Code, relating to privileged communications.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1574—An act relating to housing discrimination.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1638—An act to amend Section 366.26 of the Welfare and Institutions Code, relating to adoption.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Business and Professions

April 7, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 1388

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1388—An act to add Section 14666.9 to the Government Code, relating to state property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Business and Professions

April 7, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 775

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 775—An act to add Section 36 to the Business and Professions Code, to add Part 8 (commencing with Section 296) to Division 2 of the Family Code, to add Sections 27 and 68564.5 to the Government Code, to add Section 29 to the Health and Safety Code, to add Section 49 to the Insurance Code, to add Section 30 to the Labor Code, and to add Section 26.5 to the Welfare and Institutions Code, relating to interpreters.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Governmental Organization

April 7, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 616
Assembly Bill No. 1620

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 616—An act to amend Section 7598 of the Government Code, relating to public buildings.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1620—An act to amend Section 19951 of the Business and Professions Code, relating to gambling.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

April 7, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 328
Assembly Bill No. 558
Assembly Bill No. 1002

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 328—An act to add Section 5017 to the Public Resources Code, relating to state parks, 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.

ASSEMBLY BILL NO. 558—An act to amend Section 29550 of the Government Code, relating to booking fees.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1002—An act to amend Section 1801 of the Fish and Game Code, relating to conservation.

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 Judiciary

April 7, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 378
Assembly Bill No. 619

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 378—An act to amend Section 338 of the Code of Civil Procedure, relating to protected classes.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 619—An act to amend Sections 1365.1 and 1367.1 of the Civil Code, relating to common interest developments.

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 Utilities and Commerce

April 7, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 1348

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 1348—An act to add Section 761 to the Public Utilities Code, relating to electricity.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 7, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 71
Assembly Bill No. 225
Assembly Bill No. 772

Assembly Bill No. 811
Assembly Bill No. 1382
Assembly Bill No. 1597

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 71—An act to add Article 7 (commencing with Section 111657) to Chapter 6 of Part 5 of Division 104 of the Health and Safety Code, relating to pharmaceuticals.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 225—An act to amend Section 650 of the Business and Professions Code, relating to healing arts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 772—An act relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 811—An act to add Division 2.75 (commencing with Section 1825) to the Health and Safety Code, and to add Division 8.75 (commencing with Section 9800) to the Welfare and Institutions Code, relating to health and human services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1382—An act to add Sections 111723 and 111785.3 to the Health and Safety Code, relating to contact lenses.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1597—An act to amend Section 11364.7 of the Health and Safety Code, relating to drug paraphernalia.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

April 7, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1061

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1061—An act to amend Section 54444 of the Food and Agricultural Code, relating to Agricultural Cooperative Bargaining 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 Agriculture

April 7, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1587

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1587—An act to amend Section 107 of the Penal Code, relating to crimes.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

April 7, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1730

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1730—An act to repeal Sections 12811.5 and 12837 of the Food and Agricultural Code, relating to pesticide.

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

April 7, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1037

Assembly Bill No. 1580

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1037—An act to amend Section 24306 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.

ASSEMBLY BILL NO. 1580—An act 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 Agriculture

April 7, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:

Assembly Bill No. 460

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 460—An act to amend Sections 9561 and 9562 of the Food and Agricultural Code, relating to animals.

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

April 7, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 838

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 838—An act to add and repeal Sections 17052.11 and 23611 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 Higher Education

April 7, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

- Assembly Bill No. 1366
- Assembly Bill No. 1646

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 1366—An act to amend Section 84040 of the Education Code, relating to community colleges.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1646—An act relating to community colleges.

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 Labor and Employment

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 51 | Assembly Bill No. 678 |
| Assembly Bill No. 57 | Assembly Bill No. 710 |
| Assembly Bill No. 169 | Assembly Bill No. 805 |
| Assembly Bill No. 186 | Assembly Bill No. 815 |
| Assembly Bill No. 414 | Assembly Bill No. 1339 |
| Assembly Bill No. 604 | Assembly Bill No. 1669 |

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KORETZ, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

- Assembly Concurrent Resolution No. 43

With the recommendation: Be adopted.

KORETZ, Chair

Above resolution ordered to third reading.

Committee on Governmental Organization

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

- Assembly Bill No. 780

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 260

Assembly Bill No. 834

Assembly Bill No. 273

Assembly Bill No. 1518

Assembly Bill No. 407

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 480

Assembly Bill No. 1355

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.

JEROME HORTON, Chair

Above bills ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 428

With the recommendation: Do pass.

JEROME HORTON, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 277

With the recommendation: Do pass, and be re-referred to the Committee on Public Employees, Retirement and Social Security with recommendation: To Consent Calendar.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Public Employees, Retirement and Social Security.

Committee on Rules

Date of Hearing: April 7, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 16

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.

Date of Hearing: April 7, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 12

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.

Date of Hearing: April 7, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 32
Assembly Concurrent Resolution No. 39
With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

Date of Hearing: April 7, 2005

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 14
With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Assembly Bill No. 405
With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Education.

RUSKIN, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 754
With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 359
With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 376
Assembly Bill No. 478
With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills ordered to second reading.

Committee on Transportation

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 84

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Natural Resources.

OROPEZA, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1097

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 322

Assembly Bill No. 384

Assembly Bill No. 420

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 13

Assembly Bill No. 264

Assembly Bill No. 388

Assembly Bill No. 390

Assembly Bill No. 491

Assembly Bill No. 1303

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 656

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.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1400

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, April 7, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 27

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 7, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 19
Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 31

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, April 7, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 424

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 7, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 170
Senate Bill No. 405
Senate Bill No. 416

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 7, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 1
Senate Concurrent Resolution No. 33
Senate Concurrent Resolution No. 36

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 7, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 7

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 424—An act to add Section 6720 to the Government Code, relating to Armenia.

SENATE BILL NO. 170—An act to amend Section 1 of Chapter 260 of the Statutes of 2004, relating to school employees.

SENATE BILL NO. 405—An act to add Section 18343 to the Education Code, relating to the Banning Unified School District.

SENATE BILL NO. 416—An act to amend Section 904.6 of the Penal Code, relating to grand juries.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 1—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session.

SENATE CONCURRENT RESOLUTION NO. 33—Relative to California Fitness Month.

SENATE CONCURRENT RESOLUTION NO. 36—Relative to the Alzheimer's Association.

SENATE JOINT RESOLUTION NO. 7—Relative to Equal Pay Day.

INTRODUCTION OF GUESTS

Assembly Member Liu, of the 44th Assembly District, introduced former Assembly Member Hannah-Beth Jackson.

Assembly Member La Malfa, of the 2nd Assembly District, introduced visitors from the Yuba-Sutter Disposal who are in the Capitol for their legislative day.

Assembly Member Yee, of the 12th Assembly District, on behalf of the Assembly, introduced Phi Theta Kappa honor society members that were selected from community colleges throughout the state to compete for the national All America Academic Team.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Laird, the Assembly adjourned until noon, Monday, April 11, 2005, out of respect to the memory of Ned Baughman and John T. McTernan, on motion of Assembly Member Goldberg; out of respect to the memory of Gino Marconi, on motion of Assembly Member La Malfa; out of respect to the memory of Dr. Boyd Stephens, on motion of Assembly Members Mullin, Leno, and Yee; out of respect to the memory of Josie Bain, on motion of Assembly Member Karnette; out of respect to the memory of Lenore Agnes Holle, on motion of Assembly Member Klehs; out of respect to the memory of John Donald Falsarella, on motion of Assembly Member Mullin; out of respect to the memory of the Honorable G. Thomas Thompson, on motion of Assembly Member Oropeza; out of respect to the memory of Dale Reed, on motion of Assembly Member Runner; and out of respect to the memory of Susan Earl Collins, Patricia Flaherty Raycraft, Dorothy Wellman, Tim Crow, Fred Dodson, David Gorohoff, Linda Marie Murphy, Delbert Davis, Elmer Alford Amen, Sr., Susan F. Basha, Larry John Hein, and Frederick Emory Polete, Jr., on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 7, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
15	0510492	1002	0510646
71	0511084	1031	0510291
194	0510759	1037	0509817
225	0510969	1061	0510964
268	0510617	1066	0510905
271	0510452	1172	0509095
278	0510448	1208	0510164
326	0509874	1213	0510661
328	0510799	1348	0510020
367	0510386	1366	0509987
378	0510968	1382	0510488
460	0510918	1384	0510273
476	0510656	1388	0509785
482	0509958	1407	0509837
494	0510598	1412	0510703
544	0510988	1420	0509961
558	0509077	1424	0510105
616	0509922	1528	0510765
619	0510979	1574	0510027
646	0509536	1580	0510151
750	0510218	1587	0510150
756	0510320	1597	0510423
772	0510565	1620	0510092
775	0510804	1638	0510915
783	0509573	1646	0509629
811	0511018	1687	0510285
818	0510195	1702	0510742
822	0510465	1730	0510957
838	0510430		
881	0510840	ACR	RN
925	0510012	40	0510712

Daily Total:	60
Cumulative Total:	517

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 11, 2005

FIFTY-FIRST SESSION DAY

ONE HUNDRED TWENTY-SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, April 11, 2005

The Assembly met at 12:02 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Goldberg moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:04 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—78:

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Shirley	Mountjoy	Tran
Canciamilla	Houston	Mullin	Umberg
Chan	Huff	Nakanishi	Vargas
Chavez	Jones	Nation	Villines
Chu	Karnette	Nava	Walters
Cogdill	Keene	Negrete McLeod	Wolk
Cohn	Klehs	Niello	Wyland
Coto	Koretz	Oropeza	Yee
Daucher	La Malfa	Parra	Mr. Speaker
De La Torre	La Suer	Pavley	
DeVore	Laird	Plescia	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, With You in our heart, we have everything we need. You give us new strength and You guide us in the right paths as You promised. Even though we may experience the deepest darkness imaginable, we will not be afraid, for You are with us. We know that Your goodness and love will be with us all our life, and Your house will be our home as long as we live.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Baca then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

Because of illness: Assembly Members Gordon and Jerome E. Horton.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 8, 2005

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Fran Pavley to replace Assemblymember Mike Gordon on the Assembly Natural Resources Committee for the Monday, April 11 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 11, 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 George Plescia to replace Assemblymember Mark Wyland on the Assembly Utilities and Commerce Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 11, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Hector De La Torre to replace Assemblymember Mike Gordon on the Assembly Health Committee for the Tuesday, April 12 hearing.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 11, 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 removed Assemblymember Ira Ruskin from the Assembly Public Safety Committee, creating a Democratic vacancy.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 11, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Dave Jones to replace Assemblymember Jerome Horton on the Assembly Utilities and Commerce Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 11, 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 Joe Canciamilla as the temporary chair of the Assembly Veterans Affairs Committee for the Tuesday, April 12 and the Tuesday, April 26 hearings only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

PROPOSED INITIATIVES

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated March 30, April 1, and April 4, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Prescription Drugs. Discounts.
Initiative Statute. SA 2005RF0065**

Referred by the Speaker to the Committee on Health.

**Casino-Style Gaming District.
Initiative Constitutional Amendment. SA 2005RF0048, Amdt. #1-S**

Referred by the Speaker to the Committee on Governmental Organization.

**Regulation of Electric Service Providers.
Initiative Statute. SA 2005RF0054, Amdt #3-NS**

Referred by the Speaker to the Committee on Utilities and Commerce.

**Urban Tribal Casinos.
Initiative Constitutional Amendment and Statute. SA 2005RF0056, Amdt #1-S**

Referred by the Speaker to the Committee on Governmental Organization.

**Prohibition Against Defined Benefit Public Pensions.
Exception for University of California.
Initiative Constitutional Amendment and Statute. SA 2005RF0070**

Referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2004-138
April 5, 2005

*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, the Bureau of State Audits presents its audit report concerning the Department of Parks and Recreation's (Parks) administration of local grants.

This report concludes that although Parks' process for identifying eligible recipients and determining the amounts awarded was reasonable, it needs to improve its monitoring of local grants and better justify its administrative charges. Specifically, Parks principally relies on recipients certifying that they have complied with grant requirements and have expended grant funds for allowable purposes. Given this reliance, we expected Parks to periodically assess recipients'

compliance with grant requirements. However, we found that Parks has not consistently followed its procedures for monitoring recipients' progress on projects and that such efforts are inconsistently documented. Further, Parks could not always demonstrate that the public benefited as intended from local grants. Specifically, Parks could not demonstrate that it always performed final inspections of completed grants or that it ensured specific project objectives were met during inspections that were performed. Also, the expected results from the use of General Fund grants are at times not specifically defined in legislation and are subject to interpretation by Parks, resulting in a lack of clear expectations as to what is to be accomplished with grant funds. Finally, our review found that Parks does not separately track its actual costs for administering local grants, creating the risk that bond funds have subsidized Parks' administrative efforts on General Fund grants.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Water, Parks and Wildlife.

The following reports were presented by the Chief Clerk:

**CSU Institutional Financial Aid Programs Award Years:
2002-03 and 2003-04**

(Pursuant to Supplemental Report to the 2002 Budget Act)

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated March 28, 2005, referred by the Speaker to the Committee on Higher Education.

**Notification of Data Used in the First Principal Apportionment
Fiscal Year 2004-05**

(Pursuant to Education Code Section 41339 (b))

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated March 28, 2005, referred by the Speaker to the Committee on Education.

**A Report to the California State Legislature in Accordance with
Senate Bill 1895, Chapter 493, Statutes of 2004**

(Pursuant to Senate Bill 1894, Chapter 493, Statutes of 2004)

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated March 29, 2005, referred by the Speaker to the Committee on Education.

**Water Efficiency Standards for Residential Clothes Washers
(Pursuant to Assembly Bill 1561, Chapter 421, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Scott W. Matthews, Acting Executive Director, California Energy Commission, dated March 29, 2005, referred by the Speaker to the Committee on Natural Resources.

**Safe Drinking Water State Revolving Fund and
Source Water Protection Program
(Pursuant to Health and Safety Code
Sections 116760.30 (b) and 116762.60 (d))**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated March 30, 2005, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**General Plan for the Use of State Lands Being Disposed
(Pursuant to Public Resources Code Section 6373)**

Above transmitted report, together with letter of transmittal from Paul D. Thayer, Executive Officer, California State Lands Commission, dated April 1, 2005, referred by the Speaker to the Committee on Natural Resources.

**Family Cost Participation Program
(Pursuant to Welfare and Institutions Code, Section 4783(m))**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated April 5, 2005, referred by the Speaker to the Committee on Human Services.

**California's Net Metering Program Report
(Pursuant to Assembly Bill 58, Statutes of 2002, Chapter 896)**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated April 5, 2005, referred by the Speaker to the Committee on Utilities and Commerce.

**2003–04 Annual Report
(Pursuant to Health and Safety Code Section 130150 (b))**

Above transmitted report, together with letter of transmittal from Jane I. Henderson, Ph.D., Executive Director, California Children and Families Commission, dated January 31, 2005, referred by the Speaker to the Committee on Human Services.

**The Competitive Cal Grant Program—
A Report on the First Three Years
(Pursuant to Senate Bill 1644, Chapter 403, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Diana Fuentes-Michel, Executive Director, California Student Aid Commission, dated April 4, 2005, referred by the Speaker to the Committee on Higher Education.

**California State Rail Plan 2003–04 to 2013–14
(Pursuant to Government Code Section 14036)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated March 29, 2005, referred by the Speaker to the Committee on Transportation.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 268

Assembly Bill No. 367

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 15

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 32

Assembly Concurrent Resolution No. 39

Assembly Concurrent Resolution No. 43

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 12

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 71

Assembly Bill No. 194

Assembly Bill No. 225

Assembly Bill No. 271

Assembly Bill No. 278

Assembly Bill No. 326

Assembly Bill No. 328

Assembly Bill No. 378

Assembly Bill No. 460

Assembly Bill No. 476

Assembly Bill No. 482

Assembly Bill No. 494

Assembly Bill No. 544

Assembly Bill No. 558

Assembly Bill No. 616

Assembly Bill No. 619

Assembly Bill No. 646

Assembly Bill No. 750

Assembly Bill No. 756

Assembly Bill No. 772

Assembly Bill No. 775

Assembly Bill No. 783

Assembly Bill No. 811

Assembly Bill No. 818

Assembly Bill No. 822

Assembly Bill No. 838

Assembly Bill No. 881

Assembly Bill No. 925

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1002
- Assembly Bill No. 1031
- Assembly Bill No. 1037
- Assembly Bill No. 1061
- Assembly Bill No. 1066
- Assembly Bill No. 1172
- Assembly Bill No. 1208
- Assembly Bill No. 1213
- Assembly Bill No. 1348
- Assembly Bill No. 1366
- Assembly Bill No. 1382
- Assembly Bill No. 1384
- Assembly Bill No. 1388
- Assembly Bill No. 1407

- Assembly Bill No. 1412
- Assembly Bill No. 1420
- Assembly Bill No. 1424
- Assembly Bill No. 1528
- Assembly Bill No. 1574
- Assembly Bill No. 1580
- Assembly Bill No. 1587
- Assembly Bill No. 1597
- Assembly Bill No. 1620
- Assembly Bill No. 1638
- Assembly Bill No. 1646
- Assembly Bill No. 1687
- Assembly Bill No. 1702
- Assembly Bill No. 1730

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 40

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

BILLS REMOVED FROM CONSENT CALENDAR

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Bill No. 86, on request of Assembly Member Plescia.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bill No. 122, on request of Assembly Member Frommer;

Senate Bill No. 123, on request of Assembly Member Frommer.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 47 from the Committee on Health to the Committee on Business and Professions;

Assembly Bill No. 476 from the Committee on Education to the Committee on Higher Education;

Assembly Bill No. 676 from the Committee on Natural Resources to the Committee on Water, Parks and Wildlife;

Assembly Bill No. 1388 from the Committee on Business and Professions to the Committee on Utilities and Commerce;

Assembly Bill No. 1702 from the Committee on Local Government to the Committee on Transportation.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Frommer announced that the Committee on Health would meet today at 2 p.m., instead of 3 p.m., as printed in today's Assembly Daily File.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Agriculture, on Wednesday, April 20, 2005, at 10 a.m., in Room 126;
Joint Legislative Audit Committee, on Wednesday, May 11, 2005, at 9 a.m., in Room 444.

Assembly Member Frommer was granted unanimous consent that the Committee on Rules be permitted to hold a special meeting off the Floor, during Floor session, in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Concurrent Resolution No. 49 for hearing.

MESSAGES FROM THE SENATE

Senate Chamber, April 7, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 2

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE JOINT RESOLUTION NO. 2—Relative to the Armenian Genocide.

REPORTS OF STANDING COMMITTEES**Committee on Banking and Finance**

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 1527

With amendments with the recommendation: Amend, and do pass, as amended.

CALDERON, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 663

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Committee on Banking and Finance

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 865

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.

CALDERON, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 348

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

ARAMBULA, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1150

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1152

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 268, and 367, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 480—An act to amend Section 19604 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1355—An act to amend Section 19605.73 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 428—An act to amend Section 25761 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 405—An act to add Section 17610.1 to the Education Code, relating to schoolsites.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Education.

ASSEMBLY BILL NO. 754—An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 12001, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12084, and 12086 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, and to repeal and add Sections 12071 and 12083 of, the Penal Code, relating to firearms.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 359—An act to add Section 5006.9 to the Public Resources Code, relating to parks.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 376—An act to add Section 148.8 to the Penal Code, relating to false reports.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 478—An act to amend Sections 3419 and 3423 of the Penal Code, relating to inmates.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 84—An act to add Article 8.6 (commencing with section 5151) to Chapter 1 of Division 1 of the Vehicle Code, relating to vehicles.

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 Natural Resources.

ASSEMBLY BILL NO. 1097—An act to add Section 46300.8 to the Education Code, relating to pupils.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 656—An act to amend Section 48324 of the Education Code, relating to pupil attendance.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1400—An act to amend Sections 51, 51.5, 51.7, 51.8, and 53 of the Civil Code, relating to civil rights.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 480

Assembly Bill No. 656

Assembly Bill No. 1355

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 11, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 428

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 35 (Hancock)—Relative to youth organizations.

Resolution read.

Members Made Coauthors of Assembly Concurrent Resolution No. 35

Assembly Member Hancock was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 35.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Hancock was granted unanimous consent to take up Assembly Concurrent Resolution No. 35, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 35, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 35—Relative to youth organizations.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY BILL NO. 1553 (Evans)—An act to add Section 1281.12 to the Code of Civil Procedure, relating to arbitration.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Evans moved a call of the Assembly.

Motion carried. Time, 12:17 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 18 (La Malfa)—An act to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.95, 195.96, and 195.97 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—77

Aghazarian	Dymally	Leno	Ridley-Thomas
Arambula	Emmerson	Leslie	Runner
Baca	Evans	Levine	Ruskin
Bass	Frommer	Lieber	Saldaña
Benoit	Garcia	Liu	Salinas
Berg	Goldberg	Matthews	Spitzer
Bermúdez	Hancock	Maze	Strickland
Blakeslee	Harman	McCarthy	Torrico
Bogh	Haynes	Montañez	Tran
Calderon	Horton, Shirley	Mountjoy	Umberg
Canciamilla	Houston	Mullin	Vargas
Chan	Huff	Nakanishi	Villines
Chavez	Jones	Nation	Walters
Chu	Karnette	Nava	Wolk
Cogdill	Keene	Negrete McLeod	Wyland
Cohn	Klehs	Niello	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	La Suer	Plescia	
DeVore	Laird	Richman	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—77

Aghazarian	Dymally	Leno	Ridley-Thomas
Arambula	Emmerson	Leslie	Runner
Baca	Evans	Levine	Ruskin
Bass	Frommer	Lieber	Saldaña
Benoit	Garcia	Liu	Salinas
Berg	Goldberg	Matthews	Spitzer
Bermúdez	Hancock	Maze	Strickland
Blakeslee	Harman	McCarthy	Torrico
Bogh	Haynes	Montañez	Tran
Calderon	Horton, Shirley	Mountjoy	Umberg
Canciamilla	Houston	Mullin	Vargas
Chan	Huff	Nakanishi	Villines
Chavez	Jones	Nation	Walters
Chu	Karnette	Nava	Wolk
Cogdill	Keene	Negrete McLeod	Wyland
Cohn	Klehs	Niello	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	La Suer	Plescia	
DeVore	Laird	Richman	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 32 (Pavley)—An act to amend Sections 42801 and 42823 of the Health and Safety Code, relating to air pollution.

Bill read third time, and passed by the following vote:

AYES—50

Arambula	De La Torre	Leno	Richman
Baca	Dymally	Levine	Ridley-Thomas
Bass	Evans	Lieber	Ruskin
Berg	Frommer	Liu	Saldaña
Bermúdez	Goldberg	Matthews	Salinas
Blakeslee	Hancock	Montañez	Torrico
Calderon	Harman	Mullin	Umberg
Canciamilla	Horton, Shirley	Nation	Vargas
Chan	Jones	Nava	Wolk
Chavez	Karnette	Negrete McLeod	Yee
Chu	Klehs	Oropeza	Mr. Speaker
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—27

Aghazarian	Haynes	Maze	Spitzer
Benoit	Houston	McCarthy	Strickland
Bogh	Huff	Mountjoy	Tran
Cogdill	Keene	Nakanishi	Villines
Daucher	La Malfa	Niello	Walters
DeVore	La Suer	Plescia	Wyland
Garcia	Leslie	Runner	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 43 (Vargas)—An act to amend Section 15342 of the Elections Code relating to elections.

Bill read third time, and passed by the following vote:

AYES—45

Arambula	Dymally	Lieber	Ruskin
Baca	Evans	Liu	Saldaña
Bass	Frommer	Matthews	Salinas
Berg	Goldberg	Montañez	Torrico
Bermúdez	Hancock	Mullin	Umberg
Calderon	Jones	Nation	Vargas
Chan	Karnette	Nava	Wolk
Chavez	Klehs	Negrete McLeod	Yee
Chu	Koretz	Oropeza	Mr. Speaker
Cohn	Laird	Parra	
Coto	Leno	Pavley	
De La Torre	Levine	Ridley-Thomas	

NOES—33

Aghazarian	Garcia	Leslie	Spitzer
Benoit	Harman	Maze	Strickland
Blakeslee	Haynes	McCarthy	Tran
Bogh	Horton, Shirley	Mountjoy	Villines
Canciamilla	Houston	Nakanishi	Walters
Cogdill	Huff	Niello	Wyland
Daucher	Keene	Plescia	
DeVore	La Malfa	Richman	
Emmerson	La Suer	Runner	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 111 (Koretz)—An act to amend Section 23399 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—76

Aghazarian	Dymally	Leno	Plescia
Arambula	Emmerson	Leslie	Richman
Baca	Evans	Levine	Ridley-Thomas
Bass	Frommer	Lieber	Runner
Benoit	Garcia	Liu	Ruskin
Berg	Hancock	Matthews	Saldaña
Bermúdez	Harman	Maze	Salinas
Blakeslee	Haynes	McCarthy	Spitzer
Bogh	Horton, Shirley	Montañez	Strickland
Calderon	Houston	Mountjoy	Torrico
Canciamilla	Huff	Mullin	Tran
Chan	Jones	Nakanishi	Umberg
Chavez	Karnette	Nation	Vargas
Chu	Keene	Nava	Villines
Cogdill	Klehs	Negrete McLeod	Walters
Cohn	Koretz	Niello	Wolk
Daucher	La Malfa	Oropeza	Wyland
De La Torre	La Suer	Parra	Yee
DeVore	Laird	Pavley	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 124 (Dymally)—An act to amend Sections 19790, 19791, 19792, 19792.5, 19793, 19794, 19795, 19796, 19797, and 19798 of, and to amend the heading of Chapter 12 (commencing with Section 19790) of Part 2 of Division 5 of Title 2 of, the Government Code, relating to state civil service.

Bill read third time, and passed by the following vote:

AYES—46

Arambula	De La Torre	Levine	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Jones	Nation	Vargas
Chan	Karnette	Nava	Wolk
Chavez	Klehs	Negrete McLeod	Yee
Chu	Koretz	Oropeza	Mr. Speaker
Cohn	Laird	Parra	
Coto	Leno	Pavley	

NOES—31

Aghazarian	Garcia	Leslie	Runner
Benoit	Harman	Maze	Spitzer
Blakeslee	Haynes	McCarthy	Strickland
Bogh	Houston	Mountjoy	Tran
Cogdill	Huff	Nakanishi	Villines
Daucher	Keene	Niello	Walters
DeVore	La Malfa	Plescia	Wyland
Emmerson	La Suer	Richman	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1438 (Salinas)—An act to amend Section 54953 of the Government Code, relating to local agencies.

Bill read third time, and passed by the following vote:

AYES—77

Aghazarian	Dymally	Leslie	Ridley-Thomas
Arambula	Emmerson	Levine	Runner
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Benoit	Garcia	Matthews	Salinas
Berg	Goldberg	Maze	Spitzer
Bermúdez	Hancock	McCarthy	Strickland
Blakeslee	Harman	Montañez	Torrico
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	

NOES—1

Haynes

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 32 (Arambula)—Relative to West Nile Virus and Mosquito and Vector Control Awareness Week.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 32**

Assembly Member Arambula was granted unanimous consent to open the roll for the purpose of permitting members to add as coauthors of Assembly Concurrent Resolution No. 32.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Arambula was granted unanimous consent to take up Assembly Concurrent Resolution No. 32, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 32, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 32—Relative to West Nile Virus and Mosquito and Vector Control Awareness Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 35

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

**SENATE CONCURRENT RESOLUTION NO. 35 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Garcia was granted unanimous consent to take up Senate Concurrent Resolution No. 35, without reference to file.

SENATE CONCURRENT RESOLUTION NO. 35—Relative to Polio Awareness Day.

Resolution read.

Members Made Coauthors of Senate Concurrent Resolution No. 35

Assembly Member Garcia was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 35.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, 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, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Garcia was granted unanimous consent to take up Senate Concurrent Resolution No. 35, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 35, as Amended

SENATE CONCURRENT RESOLUTION NO. 35—Relative to Polio Awareness Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS**

SENATE CONCURRENT RESOLUTION NO. 14 (Runner)—Relative to California Space Day.

Resolution read and presented by Assembly Member Runner.

Members Made Coauthors of Senate Concurrent Resolution No. 14

Assembly Member Runner was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 14.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, 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, Nakanishi, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Runner was granted unanimous consent to take up Senate Concurrent Resolution No. 14, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 14, as Amended

SENATE CONCURRENT RESOLUTION NO. 14—Relative to California Space Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Montañez announced that the Committee on Rules would meet immediately, in the Tom Bane Rules Committee Room.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1553**

At 1:04 p.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Mountjoy moved to continue the call of the Assembly.

Motion carried. Time, 1:05 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

Point of Information

Assembly Member Goldberg arose to the following point of information:

When a call is being lifted and a member pushes the same vote button that he or she had pushed prior to a call being moved on the measure, the member has cancelled out their vote, and will be recorded as not voting.

Reply by Speaker pro Tempore Yee

The Speaker pro Tempore replied that Assembly Member Goldberg is correct.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1553

At 1:06 p.m., on motion of Assembly Member Mountjoy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1553 passed by the following vote:

AYES—45

Arambula	Dymally	Lieber	Ruskin
Baca	Evans	Liu	Saldaña
Bass	Frommer	Matthews	Salinas
Berg	Goldberg	Montañez	Torrico
Bermúdez	Hancock	Mullin	Umberg
Calderon	Jones	Nation	Vargas
Chan	Karnette	Nava	Wolk
Chavez	Klehs	Negrete McLeod	Yee
Chu	Koretz	Oropeza	Mr. Speaker
Cohn	Laird	Parra	
Coto	Leno	Pavley	
De La Torre	Levine	Ridley-Thomas	

NOES—33

Aghazarian	Garcia	Leslie	Spitzer
Benoit	Harman	Maze	Strickland
Blakeslee	Haynes	McCarthy	Tran
Bogh	Horton, Shirley	Mountjoy	Villines
Canciamilla	Houston	Nakanishi	Walters
Cogdill	Huff	Niello	Wyland
Daucher	Keene	Plescia	
DeVore	La Malfa	Richman	
Emmerson	La Suer	Runner	

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 434 (Parra)—An act to amend Section 14860 of the Financial Code, relating to credit unions.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 174 (Salinas)—An act to amend Section 507 of the Pajaro Valley Water Management Agency Act (Chapter 257 of the Statutes of 1984), relating to the Pajaro Valley Water Management Agency.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 200 (Leslie)—An act to add Section 399.17 to the Public Utilities Code, relating to renewable energy resources.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 1 (Negrete McLeod)—Relative to Proposition 71 the California Stem Cell Research and Cures Initiative.

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—78

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Shirley	Mountjoy	Tran
Canciamilla	Houston	Mullin	Umberg
Chan	Huff	Nakanishi	Vargas
Chavez	Jones	Nation	Villines
Chu	Karnette	Nava	Walters
Cogdill	Keene	Negrete McLeod	Wolk
Cohn	Klehs	Niello	Wyland
Coto	Koretz	Oropeza	Yee
Daucher	La Malfa	Parra	Mr. Speaker
De La Torre	La Suer	Pavley	
DeVore	Laird	Plescia	

NOES—None

ADJOURN IN MEMORY

Assembly Member Emmerson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Helen “Fergie” Brulte, of Rancho Cucamonga.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Casey La Ware, of Redding.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Councilwoman Anne W. Dunihue, of Fontana.

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cpl. William D. Richardson, of Moreno Valley.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roberta Elaine “Bobbi” Farmer, of Eureka and Laura Diane Jackson, of Placitas, New Mexico.

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 Dale Messick, of Penngrove.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Margaret Breland, of Berkeley.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Benjamin L. Powell, Jr., of Azusa; and Robbie Drolet, of San Dimas.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Myrtle M. Shuford, of Lancaster.

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 Robert Conrad, of Dixon; Jacqueline H. Davenport, Julia Louise Rapolla, and Gerald Schaeffer, of Vacaville; Frances Dee House, of Winters; Kenneth Duane Fike, Hope D. Mata, and Oney Pearl Stuefloten, of Woodland.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 18 and Urgency: Chu, Haynes, Shirley Horton, Houston, Liu, Mountjoy, Nation, Spitzer, and Wyland—Aye.

Assembly Bill No. 32: Bass, Calderon, Canciamilla, Cohn, Shirley Horton, and Oropeza—Aye; Daucher, Garcia, Haynes, Spitzer, Villines, and Wyland—No.

Assembly Bill No. 43: Nation and Oropeza—Aye; Canciamilla, Haynes, Houston, Spitzer, and Wyland—No.

Assembly Bill No. 111: Canciamilla, Haynes, Houston, Montañez, Oropeza, and Spitzer—Aye.

Assembly Bill No. 124: Canciamilla, Oropeza, Wolk, and Yee—Aye; Haynes and Spitzer—No.

Assembly Bill No. 1438: Canciamilla, Mountjoy, Oropeza, Pavley, and Spitzer—Aye; Haynes—No.

Assembly Bill No. 1553: Oropeza—Aye; Garcia and Haynes—No.

Consent Calendar: Haynes, Mountjoy, and Oropeza—Aye.

MOTION TO ADJOURN

At 1:10 p.m., Assembly Member Cohn moved that the Assembly do now adjourn.

Assembly Member Mountjoy seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:10 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 51—Jerome Horton. Relative to State Employee Appreciation Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 52—Levine. Relative to Sergeant Evan A. Ashcraft Memorial Interchange.

ASSEMBLY CONCURRENT RESOLUTION NO. 53—Lieber. Relative to organ donation.

ASSEMBLY JOINT RESOLUTION NO. 20—Nunez (Principal coauthor: Senator Perata). Relative to agricultural workers.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly**Bill No.**Committee*

184 -----	Trans.
306 -----	Health and B. & P.
411 -----	B. & P.
417 -----	G.O.
581 -----	L. & E. and Jud.
587 -----	P.E.,R. & S.S.
661 -----	Rev. & Tax.
736 -----	U. & C.
771 -----	Nat. Res. and Jud.
798 -----	W.,P. & W. and E.S. & T.M.
901 -----	B. & F.
1027 -----	Ins. and Rev. & Tax.
1065 -----	Agri. and Rls.
1073 -----	Ed.
1098 -----	Jud. and H. & C.D.
1167 -----	H. & C.D. and L. Gov.
1178 -----	B. & P.
1254 -----	Higher Ed.
1367 -----	L. Gov. and H. & C.D.
1457 -----	L. Gov.
1636 -----	E. & R.
1643 -----	P.E., R. & S.S.
1667 -----	Health and Ed.
1712 -----	Jud.
1741 -----	Jud.
1769 -----	P.E.,R. & S.S. and L. Gov.
1770 -----	P.E.,R. & S.S.
1771 -----	P.E.,R. & S.S.

1772 ----- P.E.,R. & S.S.
 1773 ----- P.E.,R. & S.S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
48 -----	Jud.
49 -----	Rls.
50 -----	Rls.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
33 -----	Rls.
36 -----	Rls.

Senate Joint

<i>Resolution No.</i>	<i>Committee</i>
1 -----	V.A.
7 -----	L. & E.

AUTHOR'S AMENDMENTS
Committee on Public Safety

April 11, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 231	Assembly Bill No. 629
Assembly Bill No. 336	Assembly Bill No. 1542
Assembly Bill No. 570	Assembly Bill No. 1603

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 231—An act to amend Section 5001 of the Penal Code, relating to the Department of Corrections.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 336—An act to amend Section 11366.8 of the Health and Safety Code, relating to controlled substances.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 570—An act to amend Section 23152 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 629—An act to amend Section 2960 of the Penal Code, relating to prisoners.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1542—An act relating to sentencing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1603—An act to amend Section 14202.2 of the Penal Code, relating to mental health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

April 11, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 874

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 874—An act to add Chapter 5 (commencing with Section 3860) to Part 2 of Division 4 of the Fish and Game Code, relating to wildlife.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Veterans Affairs

April 11, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 255
Assembly Bill No. 690

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 255—An act to add Article 4 (commencing with Section 343) to Chapter 5 of Part 1 of Division 2 of the Military and Veterans Code, relating to military benefits, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 690—An act to add Section 323 to the Military and Veterans Code, relating to military 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 Banking and Finance

April 11, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 459

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 459—An act to amend Section 10241 of the Business and Professions Code, and to amend Section 2963 of, and to add Section 1102.6c to, the Civil Code, relating to transfer of real property.

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 Labor and Employment

April 11, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 879
Assembly Bill No. 904
Assembly Bill No. 1500

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 879—An act to amend Sections 98 and 98.2 of the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 904—An act to add Section 511.5 to the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1500—An act to amend Section 7300.3 of the Labor Code, relating to safety of conveyances.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Human Services

April 11, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 617

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 617—An act to add Section 1596.8525 to the Health and Safety Code, relating to child day care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 11, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 10

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 10—An act relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Public Employees, Retirement and Social Security**

April 11, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 256

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 256—An act relating to public employees' health care.

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 Elections and Redistricting**

April 11, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Assembly Bill No. 369

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 369—An act to amend Section 19250 of the Elections Code, relating to voting systems.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Agriculture**

April 11, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:

Assembly Bill No. 520

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 520—An act to amend Section 43003 of the Food and Agricultural Code, relating to civil administrative penalties.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Insurance**

April 11, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 804

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 804—An act to add Section 21431 to the Government Code, to amend Section 4658.6 of the Labor Code, and to amend Section 1543 of the Penal Code, relating to the California Highway Patrol.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

April 11, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 885

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 885—An act to amend Sections 1788.2, 2924f, and 2924g of the Civil Code, relating to mortgages.

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 Judiciary

April 11, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 339

Assembly Bill No. 1236

Assembly Bill No. 930

Assembly Bill No. 1307

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 339—An act to amend Section 17900 of the Business and Professions Code, to amend Sections 1113, 1152, and 1157 of, to add Chapter 1 (commencing with Section 15900) to, and to add and repeal Sections 15534 and 15724 of, the Corporations Code, relating to limited partnerships.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 930—An act to amend Section 12087 of the Government Code, relating to citizenship assistance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1236—An act to add Chapter 4 (commencing with Section 1630) to Part 5 of Division 4 of the Family Code, relating to marital 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.

ASSEMBLY BILL NO. 1307—An act to amend Section 9250 of the Welfare and Institutions Code, relating to long-term care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

April 11, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
 Assembly Bill No. 1244

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 1244—An act to amend Sections 79401, 79402, 79403.5, 79412, 79415, 79420, 79421, 79440, 79450, 79452, and 79460 of, to amend and repeal Sections 79420, 79423, 79453, and 79455, of, to add Sections 79472 and 79473 to, to repeal Sections 79406 and 79422 of, and to repeal Chapter 3 (commencing with Section 79475) of Division 26.4 of, the Water Code, relating to water, 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 Revenue and Taxation

April 11, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
 Assembly Bill No. 995
 Assembly Bill No. 1670

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 995—An act to add and repeal Sections 17053.58 and 23658 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.

ASSEMBLY BILL NO. 1670—An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to health care coverage.

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

April 11, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
 Assembly Bill No. 189

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 189—An act to amend Section 149.4 of the Streets and Highways Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

April 11, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1157

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1157—An act to amend Section 164 of the Streets and Highways Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

April 11, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 963
Assembly Bill No. 1223

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 963—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1223—An act to amend Section 11713.3 of, and to add Section 11713.13 to, the Vehicle Code, relating to vehicles.

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

April 11, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 648

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 648—An act to amend Section 65940 of the Government Code, to amend Sections 21092.1 and 21166 of, and to add Section 21083.10 to, the Public Resources Code, relating to environmental quality.

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

April 11, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 979

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 979—An act to amend Sections 13352 and 14602.6 of the Vehicle Code, relating to vehicles.

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

April 11, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 1165

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 1165—An act to amend Section 25519 of the Public Resources Code, relating to energy 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 Transportation

April 11, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1067

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1067—An act to amend Section 369b of the Penal Code, and to amend Sections 22526 and 42001.16 of the Vehicle Code, relating to vehicles.

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

April 11, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 603
Assembly Bill No. 893
Assembly Bill No. 1683

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 603—An act to amend Section 6604, 6604.1, and 6605 of the Welfare and Institutions Code, relating to mental health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 893—An act to amend Section 3003 of the Penal Code, and to amend Section 6607 of the Welfare and Institutions 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.

ASSEMBLY BILL NO. 1683—An act to add Section 6608.7 to the Welfare and Institutions Code, relating to sex offenders.

Bill read second time; 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 Environmental Safety and Toxic Materials

April 11, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1360

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 1360—An act to add Section 25355.1 to the Health and Safety Code, relating to hazardous substances.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Banking and Finance

April 11, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 901

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 901—An act to add Section 53066.7 to the Government Code, relating to community 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 Human Services

April 11, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 788

Assembly Bill No. 1285

Assembly Bill No. 1379

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 788—An act to add Section 1597.625 to the Health and Safety Code, relating to child day care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1285—An act to amend Section 8279.7 of the Education Code, relating to child care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1379—An act relating to day laborers.

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 Judiciary**

April 11, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 1098
Assembly Bill No. 1712
Assembly Bill No. 1741

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 1098—An act to amend Section 1365.1 of the Civil Code, relating to common interest developments.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1712—An act relating to CalWORKs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1741—An act relating to jury waivers.

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 Higher Education**

April 11, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 1315
Assembly Bill No. 1604

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 1315—An act to add Section 76160 to the Education Code, relating to community colleges.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1604—An act to amend Section 20651 of the Public Contract Code, relating to community colleges.

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 Utilities and Commerce

April 11, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 748
Assembly Bill No. 1362

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 748—An act to amend Section 14666.8 of the Government Code, relating to state property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1362—An act to amend Section 25740 of the Public Resources Code, to amend Sections 399.11, 399.12, 399.13, 399.14, and 399.15 of, and to add Section 399.17 to, the Public Utilities Code, relating to renewable energy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 11, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 1073

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1073—An act relating to adult education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

April 11, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 798

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 798—An act 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.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 11, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1367

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1367—An act relating to local planning.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 11, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 1027

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1027—An act 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 Business and Professions

April 11, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 361

Assembly Bill No. 1386

Assembly Bill No. 411

Assembly Bill No. 1625

Assembly Bill No. 485

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 361—An act to add Section 8214.7 to the Government Code, relating to notaries public.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 411—An act to amend Section 10262.5 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.

ASSEMBLY BILL NO. 485—An act to add Part 12.5 (commencing with Section 15920) to Division 3 of Title 2 of the Government 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.

ASSEMBLY BILL NO. 1386—An act to amend Sections 1646.4, 1646.5, 1647, 1647.1, 1647.2, 1647.3, 1647.10, 1647.11, 1647.12, and 1647.14 of, to add Article 2.86 (commencing with Section 1647.18) to Chapter 4 of Division 2 of, and to repeal Section 1647.4 of, the Business and Professions Code, relating to dentistry.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1625—An act to add Section 7550.7 to the Government Code, relating to state reports.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 11, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 11

Assembly Bill No. 1448

Assembly Bill No. 1329

Assembly Bill No. 1460

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 11—An act to add Section 36516.3 to the Government Code, relating to city councils.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1329—An act to add Section 20133.6 to 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.

ASSEMBLY BILL NO. 1448—An act to add Section 1091.35 to the Government Code, relating to conflicts of interest.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1460—An act to amend Section 66499.7 of the Government Code, relating to subdivided lands.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 11, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 349

Assembly Bill No. 1057

Assembly Bill No. 430

Assembly Bill No. 1196

Assembly Bill No. 455

Assembly Bill No. 1292

Assembly Bill No. 692

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 349—An act to add Article 7 (commencing with Section 51560) to Chapter 4 of Part 28 of the Education Code, relating to instruction.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 430—An act to amend Sections 44510, 44511, 44512, 44515, 44516, and 44517 of, and to amend the heading of Article 4.6 (commencing with Section 44510) of Chapter 3 of Part 25 of, the Education Code, relating to public school administrators.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 455—An act to amend Section 49600 of the Education Code, relating to at-risk 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.

ASSEMBLY BILL NO. 692—An act to add Section 33128.31 to the Education Code, relating to the Alameda County Office of Education, 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.

ASSEMBLY BILL NO. 1057—An act to amend Sections 52616, 52616.23, and 60850 of, and to repeal and add Section 60853 of, the Education Code, relating to adult education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1196—An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of the Education Code, relating to instructional programs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1292—An act to amend Section 52853 of, and to add Sections 17070.756, 17584.4, and 52854 to, the Education Code, relating to school facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Housing and Community Development

April 11, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 1167

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 1167—An act 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.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 21

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 8

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.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 49

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

MONTAÑEZ, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1077

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Education.

CHAN, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1322

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, April 11, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 13

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 11, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 330
Senate Bill No. 373
Senate Bill No. 443
Senate Bill No. 502

Senate Bill No. 671
Senate Bill No. 737
Senate Bill No. 974
Senate Bill No. 1050

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 11, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 24

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 330—An act to amend Section 1382 of the Penal Code, relating to criminal procedure.

SENATE BILL NO. 373—An act to amend Section 13 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to water.

SENATE BILL NO. 443—An act to amend Sections 4002, 4004, 4108, and 10510 of the Elections Code, relating to elections.

SENATE BILL NO. 502—An act to amend Section 51182 of the Government Code, to amend Section 14875 of the Health and Safety Code, and to amend Section 4291 of the Public Resources Code, relating to vegetation management.

SENATE BILL NO. 671—An act to amend Section 9 of the Plumas County Flood Control and Water Conservation District Act (Chapter 2114 of the Statutes of 1959), relating to water.

SENATE BILL NO. 737—An act to amend Section 11552 of, to add Article 14 (commencing with Section 12838) to Chapter 1 of Part 2.5 of Division 3 of Title 2 of, and to repeal Sections 11560, 11563.1, 12811, and 12811.1 of, the Government Code, and to amend Sections 2800, 2802, 2803, 2804, 2806, 2807, 2808, 2809, 2810, 2810.5, 2811, 2815, 2816, 3041, 3041.1, 5000, 5001, 5003.5, 5050, 5052, 5054, 5055, 5057, 5075, 5076.1, 6024, 6025, 6026, 6030, 6050, 7518, 13600, 13601, 13602, 13603, 13810, and 14204 of, to amend the headings of Chapter 1 (commencing with Section 5000), Chapter 2 (commencing with Section 5050), Chapter 3 (commencing with Section 5075), Chapter 4 (commencing with Section 6001), and Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of, and to amend the heading of Title 4.5 (commencing with Section 13600) of Part 4, of, and to add Sections 5075.1, 5075.6, and 6126.6 to, and to repeal Sections 2036, 2038, 2043.3, 2045.3, 2046.3, 2048.3, 2048.7, 2079, 5051, 5051.5, 5053, 5067, 5082, 6001, 6003, and 6004 of, and to repeal Article 3 (commencing with Section 2400) of Chapter 2 of Title 1 of Part 3 of, the Penal Code, and to amend Sections 1000, 1703, 1710, 1711, 1712, 1713, 1714, 1716, 1719, 1720, 1723, 1725, 1766, 1798, 3150, 3151, 3158, 3300, and 3309 of, and to repeal Sections 1717, 1718, 1721, 1722, and 3157 of, and to repeal and add Section 1798.5 the Welfare and Institutions Code, relating to reorganizing the Youth and Adult Correctional Agency, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 974—An act to repeal Section 21080.08 of the Public Resources Code, relating to environmental quality.

SENATE BILL NO. 1050—An act to amend Section 15342 of the Elections Code, relating to elections.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 24—Relative to wildfire protection.

INTRODUCTION OF GUESTS

Assembly Member Hancock, of the 14th Assembly District, introduced and welcomed participants in the Police Activity League.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Cohn, the Assembly adjourned until 7 a.m., Tuesday, April 12, 2005, out of respect to the memory of Helen “Fergie” Brulte, on motion of Assembly Member Emmerson; out of respect to the memory of Casey La Ware, on motion of Assembly Member La Malfa; out of respect to the memory of Councilwoman Anne W. Dunihue, on motion of Assembly Member Baca; out of respect to the memory of Cpl. William D. Richardson, on motion of Assembly Member Benoit; out of respect to the memory of Roberta Elaine “Bobbi” Farmer and Laura Diane Jackson, on motion of Assembly Member Berg; out of respect to the memory of Dale Messick, on motion of Assembly Member Evans; out of respect to the memory of Margaret Breland, on motion of Assembly Member Hancock; out of respect to the memory of Benjamin L. Powell, Jr. and Robbie Drolet, on motion of Assembly Member Mountjoy; out of respect to the memory of Myrtle M. Shuford, on motion of Assembly Member Runner; and out of respect to the memory of Robert Conrad, Jacqueline H. Davenport, Julia Louise Rapolla, Gerald Schaeffer, Frances Dee House, Kenneth Duane Fike, Hope D. Mata, and Oney Pearl Stuefloten, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 11, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
10	0510595	893	0511054
11	0511199	901	0509367
84	0510665	904	0510344
189	0511042	930	0510772
231	0510040	963	0510924
255	0511087	979	0511150
256	0510510	995	0510572
336	0510561	1027	0510897
339	0510244	1057	0510499
349	0511139	1067	0510955
359	0510933	1073	0510205
361	0510997	1097	0510469
369	0509913	1098	0510232
376	0510397	1157	0511257
405	0510575	1165	0510796
411	0510441	1167	0510695
430	0511214	1196	0510679
455	0510032	1223	0510667
459	0510440	1236	0510600
478	0510401	1244	0511010
485	0511123	1285	0510658
520	0510635	1292	0510926
570	0510276	1307	0510314
603	0510353	1315	0510898
617	0511117	1329	0510876
629	0509737	1360	0510774
648	0511274	1362	0510773
690	0510828	1367	0510681
692	0510181	1379	0510154
748	0510809	1386	0511224
754	0509370	1400	0510592
788	0510152	1448	0510365
798	0510477	1460	0510973
804	0510884	1500	0510819
874	0511126	1542	0509814
879	0510817	1603	0510521
885	0510949	1604	0510085

AB	RN	AB	RN
1625	0509559	1712	0510963
1670	0510816	1741	0511046
1683	0511108		
Daily Total:		79	
Cumulative Total:		596	

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, April 12, 2005

FIFTY-SECOND SESSION DAY

ONE HUNDRED TWENTY-EIGHTH 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
Tuesday, April 12, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—79:

Aghazarian	Dymally	Laird	Plescia
Arambula	Emmerson	Leno	Richman
Baca	Evans	Leslie	Ridley-Thomas
Bass	Frommer	Levine	Runner
Benoit	Garcia	Lieber	Ruskin
Berg	Goldberg	Liu	Saldaña
Bermúdez	Hancock	Matthews	Salinas
Blakeslee	Harman	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Calderon	Horton, Jerome	Montañez	Torrico
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Houston	Mullin	Umberg
Chavez	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Karnette	Nava	Walters
Cohn	Keene	Negrete McLeod	Wolk
Coto	Klehs	Niello	Wyland
Daucher	Koretz	Oropeza	Yee
De La Torre	La Malfa	Parra	Mr. Speaker
DeVore	La Suer	Pavley	

Quorum present.

At 1:49 p.m., Hon. Nicole Parra, 30th 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 Member was granted leave of absence for the day:

Because of illness: Assembly Member Gordon.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

April 12, 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 Lynn Daucher to replace Assemblymember Bill Emmerson on the Assembly Local Government Committee for the Wednesday, April 13 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

Effects of Outdoor Education Programs for Children in California
(Pursuant to Assembly Bill 1330, Chapter 663, Statutes of 2003)

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated February 17, 2005, referred by the Speaker to the Committee on Education.

Annual Report on the Statewide Automated Welfare System
(Pursuant to Assembly Bill 67, Chapter 606, Statutes of 1997)

Above transmitted report, together with letter of transmittal from Bob Austin, Interim Director, Health and Human Services Agency, dated March 17, 2005, referred by the Speaker to the Committee on Human Services.

Cost and Benefits of Utilizing the Annual Guardianship Status Report
(Pursuant to Probate Code Section 1513.2)

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated April 8, 2005, referred by the Speaker to the Committee on Judiciary.

Commission on State Mandates Approved Mandate Claims Report
January 1, 2005 through March 31, 2005
(Pursuant to Government Code Section 17600)

Above transmitted report, together with letter of transmittal from Paula Higashi, Executive Director, Commission on State Mandates, dated April 8, 2005, referred by the Speaker to the Committee on Budget.

CalWORKS and Alternative Payment Child Care Programs
Error Rate Study Report
(Pursuant to Senate Bill 1104, Chapter 229, Statutes of 2004)

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated April 11, 2005, referred by the Speaker to the Committee on Human Services.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Banking and Finance, on Tuesday, April 26, 2005, at 2 p.m., in Room 127;

Housing and Community Development, on Wednesday, May 4, 2005, at 9 a.m., in Room 126.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 84
 Assembly Bill No. 231
 Assembly Bill No. 255
 Assembly Bill No. 336
 Assembly Bill No. 376
 Assembly Bill No. 405
 Assembly Bill No. 459
 Assembly Bill No. 478
 Assembly Bill No. 570
 Assembly Bill No. 617

Assembly Bill No. 629
 Assembly Bill No. 690
 Assembly Bill No. 754
 Assembly Bill No. 874
 Assembly Bill No. 879
 Assembly Bill No. 904
 Assembly Bill No. 1097
 Assembly Bill No. 1500
 Assembly Bill No. 1542
 Assembly Bill No. 1603

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 359
 Assembly Bill No. 1400

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 21

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 10 | Assembly Bill No. 648 |
| Assembly Bill No. 11 | Assembly Bill No. 692 |
| Assembly Bill No. 189 | Assembly Bill No. 748 |
| Assembly Bill No. 256 | Assembly Bill No. 788 |
| Assembly Bill No. 339 | Assembly Bill No. 798 |
| Assembly Bill No. 349 | Assembly Bill No. 804 |
| Assembly Bill No. 361 | Assembly Bill No. 885 |
| Assembly Bill No. 369 | Assembly Bill No. 893 |
| Assembly Bill No. 411 | Assembly Bill No. 901 |
| Assembly Bill No. 430 | Assembly Bill No. 930 |
| Assembly Bill No. 455 | Assembly Bill No. 963 |
| Assembly Bill No. 485 | Assembly Bill No. 979 |
| Assembly Bill No. 520 | Assembly Bill No. 995 |
| Assembly Bill No. 603 | Assembly Bill No. 1027 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1057 | Assembly Bill No. 1315 |
| Assembly Bill No. 1067 | Assembly Bill No. 1329 |
| Assembly Bill No. 1073 | Assembly Bill No. 1360 |
| Assembly Bill No. 1098 | Assembly Bill No. 1362 |
| Assembly Bill No. 1157 | Assembly Bill No. 1367 |
| Assembly Bill No. 1165 | Assembly Bill No. 1379 |
| Assembly Bill No. 1167 | Assembly Bill No. 1386 |
| Assembly Bill No. 1196 | Assembly Bill No. 1448 |
| Assembly Bill No. 1223 | Assembly Bill No. 1460 |
| Assembly Bill No. 1236 | Assembly Bill No. 1604 |
| Assembly Bill No. 1244 | Assembly Bill No. 1625 |
| Assembly Bill No. 1285 | Assembly Bill No. 1670 |
| Assembly Bill No. 1292 | Assembly Bill No. 1683 |
| Assembly Bill No. 1307 | Assembly Bill No. 1712 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 12, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1741

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 18—Nation. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 8 and 9 of Article II thereof, relating to initiatives and referenda.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 10—La Malfa. Relative to Denim Day California.

AUTHOR'S AMENDMENTS**Committee on Arts, Entertainment, Sports, Tourism, and Internet Media**

April 12, 2005

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 766

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

ASSEMBLY BILL NO. 766—An act to add Chapter 33 (commencing with Section 22948) to Division 8 of the Business and Professions Code, relating to the Internet.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Health**

April 12, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 598

Assembly Bill No. 651

Assembly Bill No. 1418

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 598—An act to add Section 511.4 to the Business and Professions Code, to amend Sections 1367 and 1375.7 of the Health and Safety Code, and to amend Sections 10133.5 and 10133.65 of the Insurance Code, relating to health care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 651—An act to amend Sections 14132.27 and 14132.100 of the Welfare and Institutions 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.

ASSEMBLY BILL NO. 1418—An act to add Section 1367.91 to the Health and Safety Code, and to add Section 10123.91 to the Insurance Code, relating to health care coverage.

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 Employees, Retirement and Social Security**

April 12, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 587

Assembly Bill No. 1643

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 587—An act relating to Medicare.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1643—An act to amend Section 3523.5 of the Government Code, relating to state employment relations.

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 Elections and Redistricting

April 12, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Assembly Bill No. 738

Assembly Bill No. 867

Assembly Bill No. 739

Assembly Bill No. 1636

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 738—An act to add Section 101.5 to the Elections Code, relating to voting.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 739—An act to amend Section 85310 of the Government Code, relating to political communications.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 867—An act to add Division 4.5 (commencing with Section 4500) to the Elections Code, relating to voting.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1636—An act relating to voting systems.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 12, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 110

Assembly Bill No. 1253

Assembly Bill No. 1032

Assembly Bill No. 1685

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 110—An act relating to public education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1032—An act to amend Section 8203 of the Education Code, relating to child care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1253—An act to amend, repeal, and add Section 51225.3 of the Education Code, relating to public education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1685—An act to amend Section 32255 of, and to repeal and add Section 32255.6 of, the Education Code, relating to agricultural education programs.

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

April 12, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1060

Assembly Bill No. 1657

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1060—An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 11108, 11108.3, 12001, 12021, 12021.3, 12026.2, 12028.5, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12086, 12131, 12132, and 12305 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, to repeal Section 12084 of, and to repeal and add Section 12071 of, the Penal Code, and to amend Section 26 of Chapter 23 of the Statutes of 1994, relating to firearms.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1657—An act to add and repeal Section 13969.7 of the Government Code and to amend Section 1464 of, and to add Sections 11166.6 and 11166.7 to, the Penal Code, relating to child victims.

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 Elections and Redistricting

April 12, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Assembly Bill No. 187

Assembly Bill No. 938

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 187—An act to amend Section 3311 of, and to add Section 3307.5 to, the Elections Code, relating to overseas voters.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 938—An act to add Section 84204.5 to the Government Code, relating to the Political Reform Act of 1974.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Agriculture

April 12, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:

Assembly Bill No. 1065

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1065—An act to add Sections 19217, 19218, and 19316.5 to the Food and Agricultural Code, relating to kitchen grease.

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

April 12, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 661

Assembly Bill No. 911

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 661—An act to amend Section 17010 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.

ASSEMBLY BILL NO. 911—An act to amend Sections 441, 451, and 452 of, and to add Sections 7056.4, 17039.3, and 23036.3 to, 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 Labor and Employment

April 12, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 48

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 48—An act to add Section 1182.12 to the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Governmental Organization

April 12, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 417

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 417—An act to amend Section 25600 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Labor and Employment

April 12, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 581
Assembly Bill No. 1626

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 581—An act to amend Section 1964 of the Labor Code, relating to firefighters.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1626—An act to amend Section 1198.5 of the Labor Code, relating to personnel files.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Human Services

April 12, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 1179

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 1179—An act to add Section 1507.25 to the Health and Safety Code, relating to community 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.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 12, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 27

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 27—An act to amend Sections 15202 and 30053 of, and to add Section 68502.6 to, the Government Code, and to amend Section 1037 of the Penal Code, relating to trial costs.

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

April 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 184

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 184—An act relating to air pollution.

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

April 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 267
Assembly Bill No. 556

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 267—An act to amend Section 14529.17 of the Government Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 556—An act to add Sections 21669.5 and 21669.7 to the Public Utilities Code, relating to aeronautics.

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

April 12, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 377

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 377—An act to amend Section 6357.1 of the Revenue and Taxation Code, relating to tax.

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

April 12, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 771
Assembly Bill No. 1103
Assembly Bill No. 1464

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 771—An act relating to coastal 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.

ASSEMBLY BILL NO. 1103—An act to add Chapter 20 (commencing with Section 42990) to Part 3 of Division 30 of the Public Resources Code, relating to bicycle recycling and, making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1464—An act to amend Section 21091 of the Public Resources Code, relating to environmental quality.

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

April 12, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 825

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 825—An act relating to air pollution.

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**

April 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 846

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 846—An act to amend Section 51220.6 of the Education Code, and to amend Section 11101 of the Vehicle Code, relating to driver education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Transportation**

April 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 913

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 913—An act to amend Section 5007 of the Vehicle Code, relating to vehicles.

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**

April 12, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1037

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1037—An act to amend Section 25120 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 Education**

April 12, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 1385

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1385—An act to add Section 49561 to the Education Code, relating to pupil nutrition.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

April 12, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
 Assembly Bill No. 1143
 Assembly Bill No. 1178

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1143—An act to amend Sections 1640, 1640.2, 1642, and 1724 of, and to repeal Section 1641 of, the Business and Professions Code, relating to dentistry.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1178—An act to amend Section 21625 of the Business and Professions Code, relating to personal property.

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 Utilities and Commerce

April 12, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
 Assembly Bill No. 736
 Assembly Bill No. 1104
 Assembly Bill No. 1182

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 736—An act to amend Section 851 of the Public Utilities Code, relating to the regulation of public utilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1104—An act to add Article 6 (commencing with Section 8290) to Chapter 7 of Division 4 of the Public Utilities Code, relating to utility charges.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1182—An act to amend Section 321.6 of the Public Utilities Code, relating to public utilities.

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 Utilities and Commerce

April 12, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

- Assembly Bill No. 380
- Assembly Bill No. 974
- Assembly Bill No. 1576

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 380—An act to add Section 380 to the Public Utilities Code, relating to electricity.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 974—An act to add Section 25214.5 to the Public Resources Code, and to add Section 311.7 to the Public Utilities Code, relating to energy 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.

ASSEMBLY BILL NO. 1576—An act to amend Section 26003 of the Public Resources Code, relating to energy.

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

April 12, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

- Assembly Bill No. 1623

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1623—An act to add Chapter 2.66 (commencing with Section 65089.20) to Division 1 of Title 7 of the Government Code, and to add Section 9250.4 to the Vehicle Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 12, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 306 | Assembly Bill No. 1155 |
| Assembly Bill No. 622 | Assembly Bill No. 1275 |
| Assembly Bill No. 858 | Assembly Bill No. 1667 |
| Assembly Bill No. 1144 | |

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 306—An act relating to prescription drugs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 622—An act to amend Section 49431 of, and to repeal Section 49431.5 of, the Education Code, relating to pupil nutrition.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 858—An act to amend Section 11999.5 of the Health and Safety Code, relating to substance abuse and crime prevention, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1144—An act to amend Section 115725 of the Health and Safety Code, relating to playground safety.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1155—An act to add Section 32126.3 to the Health and Safety Code, relating to health care districts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1275—An act to amend Section 130060 of the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1667—An act to amend Section 49423.5 of the Education Code, relating to pupil health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS **Committee on Education**

April 12, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 835

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 835—An act to amend Section 5019 of the Education Code, relating to school 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 Elections and Redistricting

April 12, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
 Assembly Bill No. 158

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 158—An act to amend Section 2107 of the Elections Code, relating to voter registration.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

April 12, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 410

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 410—An act to amend Section 999.2 of the Military and Veterans Code, relating to disabled veteran business enterprises.

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 Higher Education

April 12, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 232

Assembly Bill No. 1241

Assembly Bill No. 1254

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 232—An act relating to community colleges, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1241—An act to add Section 69432.6 to the Education Code, relating to student financial aid.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1254—An act relating to preschool.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Natural Resources

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:
Assembly Bill No. 575

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials with recommendation: To Consent Calendar.
HANCOCK, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:
Assembly Bill No. 1193

With the recommendation: Do pass, and be re-referred to the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media.

HANCOCK, Chair

Above bill re-referred to the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:
Assembly Bill No. 1612

With the recommendation: Do pass, and be re-referred to the Committee on Rules.
HANCOCK, Chair

Above bill re-referred to the Committee on Rules.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:
Assembly Bill No. 287
Assembly Bill No. 1249

With the recommendation: Do pass, and be re-referred to the Committee on Governmental Organization with recommendation: To Consent Calendar.

HANCOCK, Chair

Above bills re-referred to the Committee on Governmental Organization.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:
Assembly Bill No. 270

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

HANCOCK, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Natural Resources reports:
Assembly Bill No. 752
Assembly Bill No. 856
Assembly Bill No. 1524

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Revenue and Taxation

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 451

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KLEHS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: March 29, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 787

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1736

With the recommendation: Do pass, and be re-referred to the Committee on Natural Resources.

LEVINE, Chair

Above bill re-referred to the Committee on Natural Resources.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1732

With the recommendation: Do pass, and be re-referred to the Committee on Natural Resources.

LEVINE, Chair

Above bill re-referred to the Committee on Natural Resources.

Committee on Transportation

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 716

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 948

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Business and Professions.

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 857

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1353

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety with recommendation: To Consent Calendar.

OROPEZA, Chair

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1238

With the recommendation: Do pass, and be re-referred to the Committee on Local Government with recommendation: To Consent Calendar.

OROPEZA, Chair

Above bill re-referred to the Committee on Local Government.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 453

Assembly Bill No. 555

Assembly Bill No. 713

Assembly Bill No. 1010

Assembly Bill No. 1048

Assembly Bill No. 1189

Assembly Bill No. 1229

Assembly Bill No. 1413

Assembly Bill No. 1637

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.

Committee on Health

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 717

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bill ordered to second reading.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 21

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Business and Professions.

CHAN, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1735

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LEVINE, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Higher Education

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 317

Assembly Bill No. 918

Assembly Bill No. 358

Assembly Bill No. 1280

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bills ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1003

With the recommendation: Do pass.

WOLK, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 577

Assembly Bill No. 749

Assembly Bill No. 1204

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1244

With the recommendation: Do pass, and be re-referred to the Committee on Governmental Organization.

WOLK, Chair

Above bill re-referred to the Committee on Governmental Organization.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1128

With the recommendation: Do pass, and be re-referred to the Committee on Elections and Redistricting.

WOLK, Chair

Above bill re-referred to the Committee on Elections and Redistricting.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1747

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials with recommendation: To Consent Calendar.

WOLK, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

MESSAGES FROM THE SENATE

Senate Chamber, April 11, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 38

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 38—Relative to Crime Victims' Rights Week.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 359 and 1400, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1527—An act to add Sections 760.2 and 955 to the Financial Code, relating to banks.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 663—An act to amend Section 4751 of the Penal Code, relating to local costs.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 865—An act to add Section 22064 to the Financial Code, relating to finance lenders.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 348—An act to amend Sections 14839 and 14839.1 of the Government Code, relating to small business programs.

Bill read second time; amendments proposed by the Committee on Jobs, Economic Development and the Economy read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1150—An act to amend Sections 1992 and 1994 of, to add Sections 1993.1 and 1993.2 to, and to repeal and add Section 1993 of, the Code of Civil Procedure, and to add Section 26744.5 to the Government Code, relating to civil warrants.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1152—An act to amend Section 3000 of the Penal Code, relating to parole.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1077—An act to add Section 49452.7 to the Education Code, relating to pupil health.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Education.

ASSEMBLY BILL NO. 1322—An act to amend Section 170.1 of the Code of Civil Procedure, relating to judges.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 13, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 12, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
27	0510940	938	0510829
48	0511104	974	0510892
110	0510965	1032	0509768
158	0511157	1037	0511298
184	0509928	1060	0510854
187	0511221	1065	0510559
232	0511047	1077	0511282
267	0511310	1103	0510669
306	0509849	1104	0510984
348	0510865	1143	0511231
377	0511281	1144	0511406
380	0510904	1150	0510846
410	0510405	1152	0510399
417	0511006	1155	0510749
556	0510502	1178	0511249
581	0510671	1179	0510832
587	0510241	1182	0510076
598	0510264	1241	0511148
622	0510498	1253	0510676
651	0510947	1254	0509534
661	0509895	1275	0510763
663	0511142	1322	0511004
736	0510237	1385	0511283
738	0511029	1418	0511204
739	0511223	1464	0511307
766	0510867	1527	0510633
771	0510204	1576	0510911
825	0510953	1623	0510875
835	0509356	1626	0510689
846	0511312	1636	0510826
858	0510693	1643	0510784
865	0510870	1657	0510462
867	0511226	1667	0510087
911	0510830	1685	0510219
913	0511022		

Daily Total:	69
Cumulative Total:	665

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 13, 2005

FIFTY-THIRD SESSION DAY

ONE HUNDRED TWENTY-NINTH 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
Wednesday, April 13, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Aghazarian	Dymally	Laird	Pavley
Arambula	Emmerson	Leno	Plescia
Baca	Evans	Leslie	Richman
Bass	Frommer	Levine	Ridley-Thomas
Benoit	Garcia	Lieber	Runner
Berg	Goldberg	Liu	Ruskin
Bermúdez	Hancock	Matthews	Saldaña
Blakeslee	Harman	Maze	Salinas
Bogh	Haynes	McCarthy	Strickland
Calderon	Horton, Jerome	Montañez	Torrico
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Houston	Mullin	Umberg
Chu	Huff	Nakanishi	Vargas
Cogdill	Jones	Nation	Villines
Cohn	Keene	Nava	Walters
Coto	Klehs	Negrete McLeod	Wolk
Daucher	Koretz	Niello	Wyland
De La Torre	La Malfa	Oropeza	Yee
DeVore	La Suer	Parra	Mr. Speaker

Quorum present.

**At 12:36 p.m., Assistant Speaker pro Tempore Sally Lieber,
22nd 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 Chavez, Karnette, and Spitzer.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 12, 2005

The Honorable Fabian Núñez
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez: I respectfully request permission to be excused from check-in session on Wednesday, April 13, 2005. The purpose is to tend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

April 12, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol Building, Room 219
Sacramento, California

Dear Mr. Speaker: Please excuse me from Session on April 13 and 14, 2005. I am attending the National Conference of State Legislators' Spring Forum in Washington, D.C.

Sincerely,

BETTY KARNETTE, Assembly Member
Fifty-fourth District

April 7, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
Room 219, State Capitol Building
Sacramento, California

Dear Mr. Speaker: I would like to be excused from check-in session on Wednesday, April 13, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 12, 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 Assemblymembers Ira Ruskin and Tom Umberg to replace Assemblymembers Mike Gordon and Betty Karnette on the Assembly Appropriations Committee for the Wednesday, April 13 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 12, 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 Hector De La Torre to replace Assemblymember Jenny Oropeza on the Assembly Appropriations Committee for the Wednesday, April 13 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 12, 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 Ira Ruskin to replace Assemblymember Betty Karnette on the Assembly Insurance Committee for the Wednesday, April 13 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 13, 2005

*Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Juan Uranga
to Agricultural Worker Health and Housing Commission

Dear Mr. Wilson: Please be advised that I have appointed Mr. Juan Uranga to the Agricultural Worker Health and Housing Commission. This is a pleasure appointment starting April 13, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 13, 2005

*Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Nazar Kooner
to Agricultural Worker Health and Housing Commission

Dear Mr. Wilson: Please be advised that I have appointed Mr. Nazar Kooner to the Agricultural Worker Health and Housing Commission. This is a pleasure appointment starting April 13, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Labor and Employment, on Thursday, April 14, 2005, upon adjournment of Floor Session in the Tom Bane Rules Committee Room.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 13, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 663

Assembly Bill No. 1322

Assembly Bill No. 865

Assembly Bill No. 1527

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 13, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 48	Assembly Bill No. 974
Assembly Bill No. 110	Assembly Bill No. 1077
Assembly Bill No. 187	Assembly Bill No. 1144
Assembly Bill No. 306	Assembly Bill No. 1150
Assembly Bill No. 348	Assembly Bill No. 1152
Assembly Bill No. 377	Assembly Bill No. 1178
Assembly Bill No. 410	Assembly Bill No. 1182
Assembly Bill No. 556	Assembly Bill No. 1241
Assembly Bill No. 581	Assembly Bill No. 1253
Assembly Bill No. 598	Assembly Bill No. 1254
Assembly Bill No. 651	Assembly Bill No. 1275
Assembly Bill No. 661	Assembly Bill No. 1385
Assembly Bill No. 858	Assembly Bill No. 1418
Assembly Bill No. 911	Assembly Bill No. 1464

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 13, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1576	Assembly Bill No. 1643
Assembly Bill No. 1623	Assembly Bill No. 1657
Assembly Bill No. 1626	Assembly Bill No. 1667
Assembly Bill No. 1636	Assembly Bill No. 1685

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 13, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 158	Assembly Bill No. 835
Assembly Bill No. 184	Assembly Bill No. 846
Assembly Bill No. 232	Assembly Bill No. 867
Assembly Bill No. 267	Assembly Bill No. 913
Assembly Bill No. 380	Assembly Bill No. 938
Assembly Bill No. 417	Assembly Bill No. 1032
Assembly Bill No. 587	Assembly Bill No. 1037
Assembly Bill No. 622	Assembly Bill No. 1060
Assembly Bill No. 736	Assembly Bill No. 1065
Assembly Bill No. 738	Assembly Bill No. 1103
Assembly Bill No. 739	Assembly Bill No. 1104
Assembly Bill No. 766	Assembly Bill No. 1143
Assembly Bill No. 771	Assembly Bill No. 1155
Assembly Bill No. 825	Assembly Bill No. 1179

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

AUTHOR'S AMENDMENTS **Committee on Elections and Redistricting**

April 13, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:

Assembly Bill No. 583
Assembly Bill No. 891

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 583—An act to add Chapter 12 (commencing with Section 91015) to Title 9 of the Government Code, relating to the Political Reform Act of 1974, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 891—An act to amend Section 82048.4 of, and to add Section 84203.4 to, the Government Code, relating to the Political Reform Act of 1974.

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

April 13, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1231

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 1231—An act to amend Section 40440 of the Health and Safety Code, relating to air pollution.

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

April 13, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 59

Assembly Bill No. 550

Assembly Bill No. 114

Assembly Bill No. 1153

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 59—An act to add Section 273.55 to the Penal Code, relating to domestic violence.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 114—An act to amend Section 1109 of the Evidence Code, relating to admissibility of evidence.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 550—An act relating to the Department of Corrections.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1153—An act to add Section 664.5 to the Penal Code, relating to offenses against minors.

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 Employees, Retirement and Social Security**

April 13, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 705

Assembly Bill No. 1166

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 705—An act to amend Section 21025.5 of the Government Code, relating to public employees' retirement.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1166—An act to add Section 22009.03 to the Government Code, relating to public employees' retirement.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Housing and Community Development**

April 13, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 292

Assembly Bill No. 1479

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 292—An act to amend Section 17021.6 of the Health and Safety Code, relating to housing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1479—An act relating to housing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Jobs, Economic Development and the Economy**

April 13, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development and the Economy reports:

Assembly Bill No. 1497

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 1497—An act to add Section 7073.5 to the Government 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 Business and Professions

April 13, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 38
Assembly Bill No. 1351
Assembly Bill No. 1663

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 38—An act to amend Section 11564.5 of, and to add Section 11564.7 to, the Government Code, relating to state boards and commissions.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1351—An act to amend Section 11340.5 of the Government Code, relating to state agencies, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1663—An act to amend Section 8169.6 of the Government Code, relating to state building construction.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 13, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 1330
Assembly Bill No. 1335

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1330—An act to amend Sections 33673 and 33678 of, and to add Sections 33040, 33106, 33344.7, 33352.1, 33378.6, and 33445.2 to, the Health and Safety Code, relating to redevelopment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1335—An act to add Chapter 5 (commencing with Section 43950) to Division 4 of Title 4 of the Government Code, relating to cities.

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

April 13, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 236

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 236—An act to add and repeal Section 6357.7 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 Revenue and Taxation

April 13, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1580

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1580—An act to add Section 6377 to the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor, 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 Education

April 13, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 172
Assembly Bill No. 1300

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 172—An act to amend Section 8235 of the Education Code, relating to preschool.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1300—An act to amend Section 17074.25 of the Education Code, relating to school facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Judiciary

April 13, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 667
Assembly Bill No. 941
Assembly Bill No. 1198

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 667—An act to amend Section 17602 of the Family Code, relating to child support.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 941—An act to add Title 8 (commencing with Section 945.6) to Part 2 of Division 2 of the Civil Code, relating to construction defects.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1198—An act to add Section 831 to the Welfare and Institutions Code, relating to juvenile court records.

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

April 13, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 283

Assembly Bill No. 1063

Assembly Bill No. 438

Assembly Bill No. 1323

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 283—An act to add Section 11100.01 to the Health and Safety Code, relating to controlled substances.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 438—An act to amend Section 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.

ASSEMBLY BILL NO. 1063—An act to amend Sections 11379.6, 11379.7, 11383, and 11644 of, and to add Section 11383.5 to, the Health and Safety Code, relating to controlled substances.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1323—An act to amend Section 2079.10a of the Civil Code, to amend Section 1522.01 of the Health and Safety Code, and to amend Sections 290, 290.01, 290.4, 290.45, 290.46, 290.5, 290.6, 666.7, and 1170.11 of the Penal Code, relating to sex offenders, 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 Arts, Entertainment, Sports, Tourism, and Internet Media

April 13, 2005

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 655

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

ASSEMBLY BILL NO. 655—An act to add Chapter 9.7 (commencing with Section 8780) to Division 1 of Title 2 of the Government Code, relating to the California Arts Council Fund, 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

April 13, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 329

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 329—An act to add Section 5017 to the Public Resources Code, relating to state parks, making an appropriation therefor, 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 Higher Education

April 13, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 1425

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 1425—An act to amend Section 87482.6 of the Education Code, relating to community colleges.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

April 13, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 1115
Assembly Bill No. 1263

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1115—An act to add Article 3 (commencing with Section 4950) to Chapter 12 of Division 2 of the Business and Professions Code, relating to healing arts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1263—An act to add Section 7350.1 to the Business and Professions Code, relating to barbering and cosmetology.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR’S AMENDMENTS
Committee on Health

April 13, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 356

Assembly Bill No. 1278

Assembly Bill No. 493

Assembly Bill No. 1676

Assembly Bill No. 657

Assembly Bill No. 1707

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 356—An act to add Section 1368.3 to the Health and Safety Code, and to add Section 10113.9 to the Insurance Code, relating to health care coverage.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 493—An act to amend Section 742.24 of the Insurance Code, relating to insurance.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 657—An act to amend Section 4076 of the Business and Professions Code, relating to pharmacies.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1278—An act to amend Sections 102425, 102426, 102430, 102440, and 103025 of the Health and Safety Code, relating to vital records.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1676—An act to add Section 7195 to the Health and Safety Code, relating to death.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1707—An act to amend Section 16531.1 of the Government Code, relating to Medi-Cal, 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 Utilities and Commerce

April 13, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
 Assembly Bill No. 1723

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 1723—An act to add Section 25302.5 to the Public Resources Code, relating to energy 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 Appropriations

April 13, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:
 Assembly Bill No. 260
 Assembly Bill No. 1669

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 260—An act to amend Section 13110.5 of the Health and Safety Code, relating to fire protection.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1669—An act to amend Section 12960 of the Government Code, relating to employment.

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 Health

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 8	Assembly Bill No. 926
Assembly Bill No. 72	Assembly Bill No. 1346
Assembly Bill No. 121	Assembly Bill No. 1396
Assembly Bill No. 436	Assembly Bill No. 1648
Assembly Bill No. 774	Assembly Bill No. 1701

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Elections and Redistricting

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:
 Assembly Bill No. 215

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 280
- Assembly Bill No. 795
- Assembly Bill No. 806

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 240
- Assembly Bill No. 658

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 1536
- Assembly Bill No. 1595

With the recommendation: Do pass.

LENO, Chair

Above bills ordered to second reading.

Committee on Veterans Affairs

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

- Assembly Bill No. 690
- Assembly Bill No. 1439

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CANCIAMILLA, Acting Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

- Assembly Bill No. 255
- Assembly Bill No. 823
- Assembly Bill No. 1594

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CANCIAMILLA, Acting Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

- Assembly Joint Resolution No. 2

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

CANCIAMILLA, Acting Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Joint Resolution No. 12

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

CANCIAMILLA, Acting Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1340

Assembly Bill No. 1341

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.

RUSKIN, Chair

Above bills ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 263

Assembly Bill No. 841

Assembly Bill No. 721

Assembly Bill No. 1168

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

RUSKIN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1279

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

RUSKIN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Joint Resolution No. 8

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.

RUSKIN, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 816

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

RUSKIN, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Housing and Community Development

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:
Assembly Bill No. 1383

With the recommendation: Do pass, and be re-referred to the Committee on Utilities and Commerce.

MULLIN, Chair

Above bill re-referred to the Committee on Utilities and Commerce.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:
Assembly Bill No. 769
Assembly Bill No. 791

With the recommendation: Do pass.

MULLIN, Chair

Above bills ordered to second reading.

Committee on Health

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 83
Assembly Bill No. 586

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 468

With the recommendation: Do pass, and be re-referred to the Committee on Education.

CHAN, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 811

With the recommendation: Do pass, and be re-referred to the Committee on Human Services.

CHAN, Chair

Above bill re-referred to the Committee on Human Services.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 73
Assembly Bill No. 74

Assembly Bill No. 75
Assembly Bill No. 76

With the recommendation: Do pass, and be re-referred to the Committee on Business and Professions.

CHAN, Chair

Above bills re-referred to the Committee on Business and Professions.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 225

With the recommendation: Do pass.

CHAN, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: April 4, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1051

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 331

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Public Safety.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 505

Assembly Bill No. 1034

Assembly Bill No. 677

Assembly Bill No. 1069

Assembly Bill No. 809

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 620

Assembly Bill No. 698

With amendments with the recommendation: Amend, and do pass, as amended.

LENO, Chair

Above bills ordered to second reading.

Committee on Business and Professions

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 175

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.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 595

With the recommendation: Do pass, and be re-referred to the Committee on Health with recommendation: To Consent Calendar.

NEGRETE McLEOD, Chair

Above bill re-referred to the Committee on Health.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 163
Assembly Bill No. 205

Assembly Bill No. 592
Assembly Bill No. 665

With the recommendation: Do pass.

NEGRETE McLEOD, Chair

Above bills ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 223
Assembly Bill No. 303
Assembly Bill No. 370

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 593

With the recommendation: Do pass, and be re-referred to the Committee on Higher Education.

NEGRETE McLEOD, Chair

Above bill re-referred to the Committee on Higher Education.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 341

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

NEGRETE McLEOD, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 295
Assembly Bill No. 507
Assembly Bill No. 524

Assembly Bill No. 588
Assembly Bill No. 1297
Assembly Bill No. 1374

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 1638

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 1133

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 609
Assembly Bill No. 1158

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bills ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 978

With amendments with the recommendation: Do pass, as amended and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 204
Assembly Bill No. 248

Assembly Bill No. 987
Assembly Bill No. 1528

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.

JONES, Chair

Above bills ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1376
Assembly Bill No. 1743

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bills re-referred to the Committee on Appropriations

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 758
Assembly Bill No. 1209

With the recommendation: Do pass.

JONES, Chair

Above bills ordered to second reading.

Committee on Human Services

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 122
Assembly Bill No. 855

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

EVANS, Chair

Above bills ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Human Services reports:
Assembly Bill No. 1326

With the recommendation: Do pass.

EVANS, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Human Services reports:
Assembly Bill No. 824
Assembly Bill No. 1298

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

EVANS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Human Services reports:
Assembly Bill No. 477

With the recommendation: Do pass, and be re-referred to the Committee on Public Employees, Retirement and Social Security.

EVANS, Chair

Above bill re-referred to the Committee on Public Employees, Retirement and Social Security.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Human Services reports:
Assembly Bill No. 1412

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

EVANS, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Human Services reports:
Assembly Joint Resolution No. 10

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

EVANS, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Insurance

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Insurance reports:
Assembly Bill No. 642

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Insurance reports:
Assembly Bill No. 804

With the recommendation: Do pass, and be re-referred to the Committee on Public Employees, Retirement and Social Security.

VARGAS, Chair

Above bill re-referred to the Committee on Public Employees, Retirement and Social Security.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Insurance reports:
Assembly Bill No. 873

With the recommendation: Do pass.

VARGAS, Chair

Above bill ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Insurance reports:
Assembly Bill No. 544
Assembly Bill No. 837

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

VARGAS, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Concurrent Resolution No. 49

With the recommendation: Be adopted.

CHU, Chair

Above resolution ordered to third reading.

Committee on Business and Professions

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 512

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Health.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1527, 663, and 1322, ordered to third reading;

Assembly Bill No. 865, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 787—An act to add Section 538h to the Penal Code, relating to crime.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 716—An act to Sections 518, 523, 525, and 526 of the Harbors and Navigation Code, relating to vessels.

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.

ASSEMBLY BILL NO. 948—An act to amend Section 20209.7 of the Public Contract Code, relating to public contracts.

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 Business and Professions.

ASSEMBLY BILL NO. 717—An act to add Section 1254.3 to the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 21—An act to add Section 4069 to the Business and Professions Code, relating to pharmacy.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Business and Professions.

ASSEMBLY BILL NO. 317—An act to amend Section 84760 of the Education Code, relating to community college finance.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 358—An act to amend Section 69435 of, and to add Section 69432.3 to, the Education Code, relating to student financial aid.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 918—An act to add Section 89009.3 to the Education Code, relating to the California State University.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1280—An act to add Section 88511 to the Education Code, relating to public postsecondary education.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1003—An act to amend Section 12 of the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session), relating to the Ventura County Watershed Protection District.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9:30 a.m., Thursday, April 14, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 13, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
21	0510990	941	0511180
38	0510922	948	0511246
59	0511404	1063	0511115
114	0511314	1115	0510894
172	0511421	1153	0511097
236	0510950	1166	0510843
260	0511228	1198	0510992
283	0511352	1231	0510284
292	0511240	1263	0511362
317	0510883	1278	0509013
329	0510794	1280	0510895
356	0511386	1300	0511258
358	0510886	1323	0511374
438	0511064	1330	0511446
493	0511354	1335	0511345
550	0511100	1351	0510687
583	0511340	1425	0511247
655	0511519	1479	0511082
657	0511486	1497	0511342
667	0511186	1580	0511306
705	0510530	1663	0511380
716	0511168	1669	0511269
717	0511012	1676	0511586
787	0511133	1707	0511071
891	0510837	1723	0511395
918	0510891		

Daily Total:	51
Cumulative Total:	716

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 14, 2005

FIFTY-FOURTH SESSION DAY

ONE HUNDRED THIRTIETH 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
Thursday, April 14, 2005

The Assembly met at 9:35 a.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 Bass moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:38 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—76:

Aghazarian	DeVore	Laird	Pavley
Arambula	Dymally	Leno	Plescia
Baca	Emmerson	Leslie	Richman
Bass	Evans	Levine	Ridley-Thomas
Benoit	Frommer	Lieber	Runner
Berg	Garcia	Liu	Ruskin
Bermúdez	Goldberg	Matthews	Saldaña
Blakeslee	Hancock	Maze	Salinas
Bogh	Haynes	McCarthy	Spitzer
Calderon	Horton, Jerome	Montañez	Strickland
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Houston	Mullin	Umberg
Chavez	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Keene	Nava	Walters
Cohn	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Niello	Wyland
Daucher	La Malfa	Oropeza	Yee
De La Torre	La Suer	Parra	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, The world and all that is in it belong to You; the earth and all who live on it are Yours. You bless all those who are pure in thought and deed and who avoid making false promises. If we would only open the gates of our heart, You Lord will come in to dwell within us and to give us strength. Be with us today, Lord, and always. In Jesus' name we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Matthews then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Harman, Karnette, and Torrico.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 15, 2005

*Hon. Fabian Núñez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, April 14, 2005 due to legislative business in my district.

If you have any questions, please contact Kelly Garman at 916-319-2067.

Thank you for your consideration of this request.

Sincerely,

TOM HARMAN, Assembly Member
Sixty-seventh District

March 29, 2005

Office of Assembly Speaker Fabian Núñez

Please excuse me from session Thursday, April 14, 2005. I will be conducting legislative business.

Thank you,

ALBERTO TORRICO, Assembly Member
Twentieth District

(NOTE: For letter explaining the absence of Assembly Member Karnette on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 13, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 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 appointed Assemblymember Lloyd Levine to replace Assemblymember Betty Karnette on the Assembly Rules Committee for the Thursday, April 14 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 14, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Bioethics, Medicine and Technology:

Assemblymember Greg Aghazarian
Assemblymember Lynn Daucher
Assemblymember Lloyd Levine
Assemblymember Gene Mullin
Assemblymember Ira Ruskin

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 14, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 49

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 14, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 27

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, April 14, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 21
- Assembly Bill No. 38
- Assembly Bill No. 59
- Assembly Bill No. 114
- Assembly Bill No. 172
- Assembly Bill No. 236
- Assembly Bill No. 260
- Assembly Bill No. 283
- Assembly Bill No. 292
- Assembly Bill No. 317
- Assembly Bill No. 329
- Assembly Bill No. 356
- Assembly Bill No. 358
- Assembly Bill No. 438

- Assembly Bill No. 493
- Assembly Bill No. 550
- Assembly Bill No. 583
- Assembly Bill No. 655
- Assembly Bill No. 657
- Assembly Bill No. 667
- Assembly Bill No. 705
- Assembly Bill No. 716
- Assembly Bill No. 717
- Assembly Bill No. 787
- Assembly Bill No. 891
- Assembly Bill No. 918
- Assembly Bill No. 941
- Assembly Bill No. 948

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 14, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1063
- Assembly Bill No. 1115
- Assembly Bill No. 1153
- Assembly Bill No. 1166
- Assembly Bill No. 1198
- Assembly Bill No. 1231
- Assembly Bill No. 1263
- Assembly Bill No. 1278
- Assembly Bill No. 1280
- Assembly Bill No. 1300
- Assembly Bill No. 1323
- Assembly Bill No. 1330

- Assembly Bill No. 1335
- Assembly Bill No. 1351
- Assembly Bill No. 1425
- Assembly Bill No. 1479
- Assembly Bill No. 1497
- Assembly Bill No. 1580
- Assembly Bill No. 1663
- Assembly Bill No. 1669
- Assembly Bill No. 1676
- Assembly Bill No. 1707
- Assembly Bill No. 1723

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

300	-----	Hum. S. and Aging & L.T.C.
340	-----	E.S. & T.M.
403	-----	E.S. & T.M.
457	-----	P.E.,R. & S.S.
458	-----	P.E.,R. & S.S.
565	-----	P.E.,R. & S.S.
571	-----	Pub. S.
606	-----	Ed.
614	-----	G.O.
699	-----	Health

715	-----	Nat. Res.
737	-----	L. Gov. and Rev. & Tax.
777	-----	A.,E.,S.,T. & I.M.
1319	-----	Ed. and Higher Ed.
1462	-----	Trans.
1502	-----	Jud.
1570	-----	Ed.
1606	-----	L. Gov.
1642	-----	Ed.
1653	-----	Hum. S.
1688	-----	Pub. S.
1724	-----	W.,P. & W. and E.S. & T.M.
1737	-----	Ins.

Assembly Constitutional

<i>Amendment No.</i>	<i>Committee</i>
1	----- Budget and Appr.
2	----- G.O.
3	----- Jud.
4	----- Trans. and Appr.
5	----- P.E.,R. & S.S.
6	----- Jud.
7	----- L. Gov. and Appr.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
51	----- Rls.
52	----- Trans.
53	----- Rls.

House

<i>Resolution No.</i>	<i>Committee</i>
10	----- Rls.

Senate

<i>Bill No.</i>	<i>Committee</i>
94	----- Appr.
424	----- G.O.
737	----- Pub. S.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
24	----- Nat. Res.
38	----- Rls.

Senate Joint

<i>Resolution No.</i>	<i>Committee</i>
2	----- Rls.

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 13 | Assembly Bill No. 547 |
| Assembly Bill No. 56 | Assembly Bill No. 643 |
| Assembly Bill No. 85 | Assembly Bill No. 843 |
| Assembly Bill No. 107 | Assembly Bill No. 866 |
| Assembly Bill No. 242 | Assembly Bill No. 982 |
| Assembly Bill No. 352 | Assembly Bill No. 1426 |
| Assembly Bill No. 483 | |

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 70 | Assembly Bill No. 489 |
| Assembly Bill No. 118 | Assembly Bill No. 541 |
| Assembly Bill No. 297 | Assembly Bill No. 780 |
| Assembly Bill No. 322 | Assembly Bill No. 785 |
| Assembly Bill No. 382 | Assembly Bill No. 947 |
| Assembly Bill No. 392 | Assembly Bill No. 988 |
| Assembly Bill No. 429 | Assembly Bill No. 1188 |
| Assembly Bill No. 465 | |

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 1391
- Assembly Bill No. 1566

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 709

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Concurrent Resolution No. 5

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.

CHU, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 4

With the recommendation: Be adopted.

CHU, Chair

Above resolution ordered to third reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 5

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.

CHU, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 11

With the recommendation: Be adopted.

CHU, Chair

Above resolution ordered to third reading.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 475 from the Committee on Revenue and Taxation to the Committee on Jobs, Economic Development and the Economy;

Assembly Bill No. 485 from the Committee on Business and Professions to the Committee on Jobs, Economic Development and the Economy;

Assembly Bill No. 820 from the Committee on Water, Parks and Wildlife to the Committee on Judiciary and to be returned to the Committee on Water, Parks and Wildlife;

Assembly Bill No. 1124 from the Committee on Insurance to the Committee on Labor and Employment;

Assembly Bill No. 1382 from the Committee on Health to the Committee on Business and Professions;

Assembly Bill No. 1418 from the Committee on Health to the Committee on Revenue and Taxation.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member DeVore was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his daughter Jennie.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Jobs, Economic Development and the Economy, on Tuesday, April 26, 2004.

Assembly Member Frommer was granted unanimous consent that the Committee on Governmental Organization be permitted to hold a special meeting on Monday, April 18, 2005, upon call of the Chair, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 424 for hearing.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 215—An act to amend Section 13307 of, and to add Section 9093.5 to, the Elections Code, relating to elections.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1536—An act to amend Section 830.7 of the Penal Code, relating to peace officer powers.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1595—An act to amend Section 6254.21 of the Government Code, relating to public officials.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1340—An act to amend Sections 12812.2 and 12812.3 of the Government Code, relating to environmental protection.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1341—An act to amend Sections 25211.3, 25211.4, and 25404 of the Health and Safety Code, relating to hazardous waste.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 769—An act to amend Section 17980.7 of the Health and Safety Code, relating to residential real property.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 791—An act to amend Sections 798.19 and 1940 of the Civil Code, relating to tenancy.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 225—An act to amend Section 650 of the Business and Professions Code, relating to healing arts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1051—An act to amend Section 24002 of, and to add Sections 430.5, 9955, and 24004.5 to, the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 331—An act to add Section 11034 to the Government Code, relating to state government travel.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Public Safety.

ASSEMBLY BILL NO. 505—An act to amend Section 3001 of the Penal Code, relating to crime.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 677—An act to amend Sections 667.1, 667.5, 1170.125, and 1192.7 of the Penal Code, relating to sentencing.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 809—An act to add Section 679.031 to the Penal Code, relating to victims of crime, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1034—An act to amend Section 11353.6 of the Health and Safety Code, relating to controlled substances.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1069—An act to amend Section 483.5 of the Penal Code, relating to identification documents.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 620—An act to amend Sections 1335, 1336, 1337, 1339, and 1341 of the Penal Code, relating to criminal proceedings.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 698—An act to add Section 5015 to the Penal Code, relating to media access to prisons.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 175—An act to add Title 1.4C (commencing with Section 1749.75) to Part 4 of Division 3 of the Civil Code, relating to gift cards.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 163—An act to amend Section 7316 of the Business and Professions Code, relating to barbering and cosmetology.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 205—An act to amend Section 1706 of the Business and Professions Code, relating to dentistry.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 592—An act to amend Section 2234.1 of the Business and Professions Code, relating to healing arts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 665—An act to amend Section 51032 of the Government Code, relating to massage.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1133—An act to amend Section 2028.050 of the Code of Civil Procedure, and to amend Section 912 of the Evidence Code, relating to evidentiary privileges.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 609—An act to amend Sections 2951 and 2952 of the Probate Code, relating to guardianships.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1158—An act to amend Section 425.16 of the Code of Civil Procedure, relating to civil actions.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 978—An act to add Section 527.10 to the Code of Civil Procedure, to add Sections 6252.5 and 6322.7 to the Family Code, to add Section 646.91A to the Penal Code, and to add Sections 213.7 and 15657.04 to the Welfare and Institutions Code, relating to protective orders.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 204—An act to amend Sections 249.5 and 294.7 of the Probate Code, relating to decedents' estates.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 248—An act to amend Sections 3439.08 and 3439.09 of the Civil Code, relating to fraudulent transfers, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 987—An act to repeal Section 22325 of the Business and Professions Code, and to amend and repeal Section 1936 of the Civil Code, relating to vehicle rental agreements.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1528—An act to add Section 1940.05 to the Civil Code, relating to tenancy.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 758—An act to amend Section 2782 of the Civil Code, relating to construction contracts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1209—An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 122—An act to add Section 1597.532 to the Health and Safety Code, relating to child day care.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 855—An act to repeal and add Section 11251.3 of the Welfare and Institutions Code, relating to CalWORKs.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1326—An act to amend Section 12304.2 of the Welfare and Institutions Code, relating to public social services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 873—An act to amend Section 2071 of, and to add Section 2084 to, the Insurance Code, relating to homeowners' insurance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 512—An act to amend Sections 1310 and 1320 of the Business and Professions Code, relating to clinical laboratories.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 14, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 248

Assembly Bill No. 1340

Assembly Bill No. 987

Assembly Bill No. 1341

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 14, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 758

Assembly Bill No. 1326

Assembly Bill No. 1209

Assembly Bill No. 1595

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

At 9:42 a.m., Speaker Fabian Núñez, 46th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY JOINT RESOLUTION NO. 7 (Huff)—Relative to ZIP Codes.

Resolution read.

Motion to Amend by Assembly Member Huff

Assembly Member Huff moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted, and to be returned to the third reading file.

ASSEMBLY BILL NO. 691 (Hancock)—An act to amend Section 65460.7 of, and to add Section 65460.11 to, the Government Code, relating to transit village plans.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	DeVore	Leno	Plescia
Arambula	Dymally	Leslie	Richman
Baca	Emmerson	Levine	Ridley-Thomas
Bass	Evans	Lieber	Runner
Benoit	Frommer	Liu	Ruskin
Berg	Garcia	Matthews	Saldaña
Bermúdez	Goldberg	Maze	Salinas
Bogh	Hancock	McCarthy	Spitzer
Calderon	Horton, Jerome	Montañez	Tran
Canciamilla	Horton, Shirley	Mountjoy	Umberg
Chan	Houston	Mullin	Vargas
Chavez	Huff	Nakanishi	Villines
Chu	Jones	Nation	Walters
Cogdill	Keene	Nava	Wolk
Cohn	Klehs	Negrete McLeod	Wyland
Coto	Koretz	Niello	Yee
Daucher	La Malfa	Parra	Mr. Speaker
De La Torre	Laird	Pavley	

NOES—3

Haynes	La Suer	Strickland
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Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 43 (Jerome Horton)—Relative to labor.

Resolution read, and adopted by the following vote:

AYES—44

Arambula	Coto	Laird	Parra
Baca	De La Torre	Leno	Pavley
Bass	Dymally	Levine	Ridley-Thomas
Berg	Evans	Lieber	Ruskin
Bermúdez	Frommer	Liu	Saldaña
Calderon	Goldberg	Matthews	Salinas
Canciamilla	Hancock	Montañez	Umberg
Chan	Horton, Jerome	Mullin	Vargas
Chavez	Jones	Nation	Wolk
Chu	Klehs	Nava	Yee
Cohn	Koretz	Oropeza	Mr. Speaker

NOES—31

Aghazarian	Garcia	Leslie	Runner
Benoit	Haynes	Maze	Spitzer
Blakeslee	Horton, Shirley	McCarthy	Strickland
Bogh	Houston	Mountjoy	Tran
Cogdill	Huff	Nakanishi	Villines
Daucher	Keene	Niello	Walters
DeVore	La Malfa	Plescia	Wyland
Emmerson	La Suer	Richman	

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 39 (Tran)—Relative to child abuse prevention.

Resolution read, and adopted by the following vote:

AYES—75

Aghazarian	DeVore	Laird	Plescía
Arambula	Dymally	Leno	Richman
Baca	Emmerson	Leslie	Ridley-Thomas
Bass	Evans	Levine	Runner
Benoit	Frommer	Lieber	Ruskin
Berg	García	Liu	Saldaña
Bermúdez	Goldberg	Matthews	Salinas
Blakeslee	Hancock	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Calderon	Horton, Jerome	Montañez	Tran
Canciamilla	Horton, Shirley	Mountjoy	Umberg
Chan	Houston	Mullin	Vargas
Chavez	Huff	Nakanishi	Villines
Chu	Jones	Nation	Walters
Cogdill	Keene	Nava	Wolk
Cohn	Klehs	Niello	Wyland
Coto	Koretz	Oropeza	Yee
Daucher	La Malfa	Parra	Mr. Speaker
De La Torre	La Suer	Pavley	

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY BILL NO. 428 (Gordon)—An act to amend Section 25761 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, presented by Assembly Member Jerome Horton, and passed by the following vote:

AYES—72

Aghazarian	De La Torre	La Suer	Pavley
Arambula	DeVore	Laird	Plescía
Baca	Dymally	Leno	Richman
Bass	Emmerson	Leslie	Ridley-Thomas
Benoit	Evans	Levine	Runner
Berg	Frommer	Lieber	Ruskin
Bermúdez	García	Liu	Saldaña
Blakeslee	Goldberg	Matthews	Salinas
Bogh	Hancock	Maze	Spitzer
Calderon	Horton, Jerome	McCarthy	Strickland
Canciamilla	Horton, Shirley	Montañez	Tran
Chan	Houston	Mountjoy	Umberg
Chavez	Huff	Mullin	Vargas
Chu	Jones	Nakanishi	Walters
Cogdill	Keene	Nation	Wolk
Cohn	Klehs	Nava	Wyland
Coto	Koretz	Oropeza	Yee
Daucher	La Malfa	Parra	Mr. Speaker

NOES—3

Haynes	Niello	Villines
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Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 86 (Levine)—An act to amend Section 11108 of the Penal Code, relating to firearms.

Bill read third time, and passed by the following vote:

AYES—54

Arambula	DeVore	Levine	Runner
Bass	Dymally	Lieber	Ruskin
Benoit	Emmerson	Liu	Saldaña
Berg	Evans	Matthews	Salinas
Bermúdez	Frommer	Montañez	Strickland
Calderon	Goldberg	Mullin	Tran
Canciamilla	Hancock	Nation	Umberg
Chan	Horton, Jerome	Nava	Vargas
Chavez	Horton, Shirley	Niello	Walters
Chu	Jones	Oropeza	Wolk
Cohn	Klehs	Parra	Yee
Coto	Koretz	Pavley	Mr. Speaker
Daucher	Laird	Richman	
De La Torre	Leno	Ridley-Thomas	

NOES—14

Aghazarian	Huff	Leslie	Villines
Bogh	Keene	Maze	Wyland
Cogdill	La Malfa	Mountjoy	
Haynes	La Suer	Plescia	

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 21 (Wolk)—Relative to Watershed Awareness Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 21**

Assembly Member Wolk was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 21.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Jerome Horton, Shirley Horton, Houston, Jones, Keene, Klehs, Koretz, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mullin, Nakanishi, Nation, Nava, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Tran, Umberg, Vargas, Villines, Walters, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Wolk was granted unanimous consent to take up Assembly Concurrent Resolution No. 21, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 21, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 21—Relative to Watershed Awareness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY BILL NO. 359 (Gordon)—An act to add Section 5006.9 to the Public Resources Code, relating to parks.

Bill read third time, presented by Assembly Member Saldaña, and passed by the following vote:

AYES—65

Aghazarian	Dymally	Laird	Runner
Arambula	Emmerson	Leno	Ruskin
Baca	Evans	Lieber	Saldaña
Bass	Frommer	Liu	Salinas
Benoit	Garcia	Matthews	Spitzer
Berg	Goldberg	Maze	Strickland
Bermúdez	Hancock	McCarthy	Tran
Bogh	Haynes	Montañez	Umberg
Canciamilla	Horton, Jerome	Mountjoy	Vargas
Chan	Horton, Shirley	Mullin	Villines
Chavez	Houston	Nakanishi	Walters
Chu	Huff	Nation	Wolk
Cohn	Jones	Nava	Yee
Coto	Keene	Oropeza	Mr. Speaker
Daucher	Klehs	Pavley	
De La Torre	Koretz	Plescia	
DeVore	La Malfa	Ridley-Thomas	

NOES—4

Blakeslee	Leslie	Niello	Wyland
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Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1400 (Laird)—An act to amend Sections 51, 51.5, 51.7, 51.8, and 53 of the Civil Code, relating to civil rights.

Bill read third time, and passed by the following vote:

AYES—44

Arambula	Coto	Laird	Parra
Baca	De La Torre	Leno	Pavley
Bass	Dymally	Levine	Ridley-Thomas
Berg	Evans	Lieber	Ruskin
Bermúdez	Frommer	Liu	Saldaña
Calderon	Goldberg	Matthews	Salinas
Canciamilla	Hancock	Montañez	Umberg
Chan	Horton, Jerome	Mullin	Vargas
Chavez	Jones	Nation	Wolk
Chu	Klehs	Nava	Yee
Cohn	Koretz	Oropeza	Mr. Speaker

NOES—29

Aghazarian	Haynes	Maze	Strickland
Benoit	Horton, Shirley	McCarthy	Tran
Blakeslee	Houston	Mountjoy	Villines
Bogh	Huff	Nakanishi	Walters
Cogdill	Keene	Niello	Wyland
Daucher	La Malfa	Plescia	
DeVore	La Suer	Runner	
Emmerson	Leslie	Spitzer	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 663 (La Suer)—An act to amend Section 4751 of the Penal Code, relating to local costs.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	DeVore	Laird	Plescia
Arambula	Dymally	Leno	Richman
Baca	Emmerson	Leslie	Ridley-Thomas
Bass	Evans	Levine	Runner
Benoit	Frommer	Lieber	Ruskin
Berg	Garcia	Liu	Saldaña
Bermúdez	Goldberg	Matthews	Salinas
Blakeslee	Hancock	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Calderon	Horton, Jerome	Montañez	Tran
Canciamilla	Horton, Shirley	Mountjoy	Umberg
Chan	Houston	Mullin	Vargas
Chavez	Huff	Nakanishi	Villines
Chu	Jones	Nation	Walters
Cogdill	Keene	Nava	Wolk
Cohn	Klehs	Niello	Wyland
Coto	Koretz	Oropeza	Yee
Daucher	La Malfa	Parra	Mr. Speaker
De La Torre	La Suer	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 49 (Frommer)—Relative to Caltrans Workers Memorial Day.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 49**

Assembly Member Frommer was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 49.

Roll Call

The following Assembly Members indicated a desire to become coauthors: Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Garcia, Goldberg, Hancock, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Frommer was granted unanimous consent to take up Assembly Concurrent Resolution No. 49, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 49, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 49—Relative to Caltrans Workers Memorial Day.

Resolution read, as amended, and adopted by the following vote:

AYES—75

Aghazarian	Dymally	Leno	Plescia
Arambula	Emmerson	Leslie	Richman
Baca	Evans	Levine	Ridley-Thomas
Bass	Frommer	Lieber	Runner
Benoit	Garcia	Liu	Ruskin
Berg	Goldberg	Matthews	Saldaña
Bermúdez	Hancock	Maze	Salinas
Bogh	Haynes	McCarthy	Spitzer
Calderon	Horton, Jerome	Montañez	Strickland
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Houston	Mullin	Umberg
Chavez	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Keene	Nava	Walters
Cohn	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Niello	Wyland
Daucher	La Malfa	Oropeza	Yee
De La Torre	La Suer	Parra	Mr. Speaker
DeVore	Laird	Pavley	

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 404 (Leno)—An act to amend Section 1810.7 of the Insurance Code, relating to bail licenses.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 557 (Karnette)—An act to amend Section 872 of the Penal Code, relating to criminal procedure.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 33 (Runner)—An act to amend Sections 272 and 502.01 of the Penal Code, relating to crime.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 65 (Daucher)—An act to amend Section 14087.54 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 241 (Harman)—An act to amend Section 1107.5 of, and to add Sections 6020.5, 8020.5, 12550.5, 15678.10, 16915.5, and 17554.5 to, the Corporations Code, relating to business entities.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 279 (Calderon)—An act to amend Section 17002 of the Corporations Code, and to amend Section 16430 of the Government Code, relating to limited liability companies, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 641 (Montanez)—An act to amend Section 11226 of the Business and Professions Code, relating to real estate.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 831 (Committee on Education)—An act to amend Section 49436 of, and to repeal Section 32228.6 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 796 (Wolk)—An act to amend Section 18339 of the Education Code, relating to library districts.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 981 (Negrete McLeod)—An act to add Section 6535 to the Government Code, relating to joint powers authority.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 12 (Chavez)—Relative to California Museum 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.)*

ASSEMBLY BILL NO. 268 (Matthews)—An act to amend Sections 802.1, 802.5, 803, 803.5, and 803.6 of the Business and Professions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 367 (Nakanishi)—An act to amend Section 2083 of the Business and Professions Code, relating to physicians and surgeons.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 480 (Plescia)—An act to amend Section 19604 of the Business and Professions Code, relating to horse racing.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1355 (Cogdill)—An act to amend Section 19605.73 of the Business and Professions Code, relating to horse racing.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 656 (Hancock)—An act to amend Section 48324 of the Education Code, relating to pupil attendance.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 8 (Dymally)—Relative to Elder and Dependent Adult Abuse 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—Senate Bills

SENATE BILL NO. 121 (Committee on Local Government)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

SENATE CONCURRENT RESOLUTION NO. 16 (Battin)—Relative to Motorcycle 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, and any urgency clauses to the bills adopted, by the following vote:

AYES—76

Aghazarian	DeVore	Laird	Pavley
Arambula	Dymally	Leno	Plescía
Baca	Emmerson	Leslie	Richman
Bass	Evans	Levine	Ridley-Thomas
Benoit	Frommer	Lieber	Runner
Berg	Garcia	Liu	Ruskin
Bermúdez	Goldberg	Matthews	Saldaña
Blakeslee	Hancock	Maze	Salinas
Bogh	Haynes	McCarthy	Spitzer
Calderon	Horton, Jerome	Montañez	Strickland
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Houston	Mullin	Umberg
Chavez	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Keene	Nava	Walters
Cohn	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Niello	Wyland
Daucher	La Malfa	Oropeza	Yee
De La Torre	La Suer	Parra	Mr. Speaker

NOES—None

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 27 be re-referred from the Committee on Local Government to the Committee on Judiciary.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Koretz announced that the Committee on Labor and Employment would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

ADJOURN IN MEMORY

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Don McCullough, of Yuba City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kieran “K.C.” Burke, of Geyserville; Tom Hobart, of Healdsburg; and Karl Esposti, of Windsor.

Assembly Member Blakeslee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Paul Meade Kelly, of Arroyo Grande; Gregory Michael Otto, of Paso Robles; and Edward Thomas Martin III, of Pismo.

Assembly Member Matthews was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Homer Williams Jr., of Stockton.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Belforte, of San Mateo.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Barbara Dewey, of Inverness.

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 Malinda Frances Staats, of Davis.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 691: De La Torre, Houston, Nation, Parra, Plescia, Spitzer, Wyland, and Yee—Aye.

Assembly Concurrent Resolution No. 43: Chavez and Nation—Aye; Keene and Wyland—No.

Assembly Concurrent Resolution No. 39: Berg, Chavez, De La Torre, Keene, Mountjoy, Nation, and Wyland—Aye.

Assembly Bill No. 428: Berg, Chavez, De La Torre, Keene, Mountjoy, Nation, and Wyland—Aye.

Assembly Bill No. 86: Berg, Chavez, De La Torre, Evans, Nation, and Strickland—Aye; Aghazarian, Bogh, Keene, Mountjoy, Plescia, and Wyland—No.

Assembly Bill No. 359: Aghazarian, Canciamilla, Keene, McCarthy, Spitzer, and Umberg—Aye.

Assembly Bill No. 663: Nation and Spitzer—Aye.

Assembly Concurrent Resolution No. 49: Nation—Aye.

Consent Calendar: Nation—Aye.

MOTION TO ADJOURN

At 10:37 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:39 a.m., Speaker Núñez declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 54—Yee. Relative to Mental Health Occupations Week.

ASSEMBLY JOINT RESOLUTION NO. 21—Karnette (Coauthors: Arambula, Bermudez, Canciamilla, Shirley Horton, Huff, Mountjoy, Pavley, and Ruskin) (Coauthor: Senator Cox). Relative to port customs revenue.

AUTHOR'S AMENDMENTS**Committee on Natural Resources**

April 14, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 365

Assembly Bill No. 715

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 365—An act to amend Sections 23 and 24 of, and to add Section 23.6 to, the Food and Agricultural Code, and to amend Section 51201 of the Government Code, relating to agricultural lands.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 715—An act relating to forestry.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Appropriations**

April 14, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 109

Assembly Bill No. 183

Assembly Bill No. 263

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 109—An act to amend Sections 130140 and 130150 of, and to add Section 130151 to, the Health and Safety Code, relating to child development.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 183—An act to add Section 6203.5 to the Penal Code, relating to conservation camps, 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.

ASSEMBLY BILL NO. 263—An act to amend Section 108921 of, and to add Section 108921.5 to, the Health and Safety Code, relating to toxic chemicals.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

April 14, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 1724

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 1724—An act to add Section 13529.5 to the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

April 14, 2005

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 777

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

ASSEMBLY BILL NO. 777—An act to 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 Banking and Finance

April 14, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 502

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 502—An act to amend Section 22101 of the Financial Code, relating to finance lenders.

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 Employees, Retirement and Social Security

April 14, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 706

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 706—An act to add Article 4 (commencing with Section 89570) to Chapter 5 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.

AUTHOR'S AMENDMENTS

Committee on Education

April 14, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 387

Assembly Bill No. 1320

Assembly Bill No. 1260

Assembly Bill No. 1410

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 387—An act to amend Section 1240 of the Education Code, relating to textbooks.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1260—An act to amend Sections 56157, 56366.10, and 56836.173 of, and to add Section 56836.19 to, the Education Code, relating to special education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1320—An act to amend Section 48204 of the Education Code, and to amend Section 6552 of the Family Code, relating to school attendance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1410—An act to add Article 3.7 (commencing with Section 52367) to Chapter 9 of Part 28 of the Education Code, relating to career technical education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Veterans Affairs

April 14, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 160

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 160—An act to amend Section 10783 of the Revenue and Taxation Code, and to amend Sections 5101.5 and 9105 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Veterans Affairs

April 14, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 1202

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 1202—An act to repeal Section 13998.10 of the Government Code, relating to the Military and Aerospace Support Act.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

April 14, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 534

Assembly Bill No. 1113

Assembly Bill No. 574

Assembly Bill No. 1617

Assembly Bill No. 585

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 534—An act to add Section 12433 to the Government Code, relating to state agency payments.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 574—An act to add Chapter 13.5 (commencing with Section 22210) to Division 8 of the Business and Professions Code, relating to recycled concrete.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 585—An act to amend Sections 22900, 22901, 22902, 22903, 22904, 22905, 22906, 22907, 22922, 22924, and 22925 of, and to amend the heading of Chapter 28 (commencing with Section 22900) of Division 8 of, the Business and Professions Code, relating to dealers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1113—An act to amend Sections 4927 and 4937 of the Business and Professions Code, relating to acupuncture.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1617—An act to amend Sections 54235 and 54327 of the Government Code, relating to surplus residential property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 14, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1032

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1032—An act to amend Section 8203 of, and to add Article 7.5 (commencing with Section 8238) to Chapter 2 of Part 6 of, the Education Code, relating to child care, 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 Labor and Employment

April 14, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 596

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 596—An act to add Chapter 1 (commencing with Section 1500) to Part 6 of Division 2 of the Labor Code, relating to building maintenance services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

April 14, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1628

Assembly Bill No. 1670

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1628—An act to amend Sections 18662, 18666, and 18668 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.

ASSEMBLY BILL NO. 1670—An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 14, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 737

Assembly Bill No. 1208

Assembly Bill No. 991

Assembly Bill No. 1606

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 737—An act relating to electricity.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 991—An act to add Section 2025.5 to the Health and Safety Code, relating to public 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.

ASSEMBLY BILL NO. 1208—An act to add Section 9250.20 to the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1606—An act relating to redevelopment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

April 14, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1462

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1462—An act to amend Section 14528.7 of the Government Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

April 14, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 765

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 765—An act to amend Section 14035.55 of the Government Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Aging and Long-Term Care

April 14, 2005

Mr. Speaker: The Chair of your Committee on Aging and Long-Term Care reports:
Assembly Bill No. 847

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERG, Chair

ASSEMBLY BILL NO. 847—An act to add Section 14598 to the Welfare and Institutions Code, relating to the elderly.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 14, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 729
Assembly Bill No. 817

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 729—An act to amend Sections 510, 1647.5, 1720, 1725.5, 1746, 1748, 1775.2, 1775.4, 1775.5, 12921.1, 12921.15, and 12921.3 of, and to add Sections 1681.5, 1736.5, and 1746.1 to, the Insurance Code, and to amend Section 12636.5 of, and to repeal Section 12253.5 of, the Revenue and Taxation Code, relating to insurance production agencies.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 817—An act to amend Sections 1063.1 and 1063.3 of the Insurance Code, relating to insurance.

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 Judiciary

April 14, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 1102
Assembly Bill No. 1502
Assembly Bill No. 1622

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 1102—An act to amend Sections 300, 302, 303, 306, 307, 309, 351, 354, 355, 357, 358, 359, 360, 400, 420, 422, 425, 500, 501, 503, 505, 506, 508, 509, 510, 511, 530, 531, 532, 533, 534, 535, and 536 of, to amend the heading of Part 2 (commencing with Section 350) of Division 3 of, and to repeal Sections 353, 424, and 502 of, the Family Code, and to amend Sections 100430, 102130, 102140, 102310, 102325, 102355, 103125, 103175, 103180, 103200, 103235, 103730, 103780, and 103785 of, and to repeal Section 103595 of, the Health and Safety Code, relating to marriage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1502—An act to relating to child custody.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1622—An act to add Section 3260.3 to the Civil Code, relating to works of improvement.

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 Environmental Safety and Toxic Materials

April 14, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 340
Assembly Bill No. 403

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 340—An act to amend Section 116361 of the Health and Safety Code, relating to public water systems.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 403—An act relating to hazardous materials.

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 Higher Education

April 14, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 23

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 23—An act to amend Section 66010.4 of, to amend and repeal Sections 84750 and 84751 of, and to add Article 1 (commencing with Section 84700) to Chapter 5 of Part 50 of, the Education Code, relating to community college finance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

April 14, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 421

Assembly Bill No. 571

Assembly Bill No. 545

Assembly Bill No. 1688

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 421—An act to add Section 530.2 to the Penal Code, relating to 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.

ASSEMBLY BILL NO. 545—An act to amend Section 6065 of the Penal Code, relating to correctional peace officers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 571—An act relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1688—An act to amend Section 25515 of the Government Code, relating to county property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

April 14, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Assembly Bill No. 614

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 614—An act relating to gaming.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

April 14, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Assembly Bill No. 584

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 584—An act to repeal Chapter 14 (commencing with Section 8899.10) of Division 1 of Title 2 of the Government Code, relating to seismic safety, 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

April 14, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Assembly Bill No. 178

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 178—An act to add Part 8 (commencing with Section 14950) to Division 12 of the Health and Safety Code, relating to cigarettes.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

April 14, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Assembly Bill No. 839

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 839—An act to add Article 17 (commencing with Section 19985) to Chapter 5 of Division 8 of the Business and Professions Code, relating to gambling.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: April 14, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Bill No. 1612

With the recommendation: That the bill be re-referred to the Committee on Revenue and Taxation.

MONTAÑEZ, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Date of Hearing: April 14, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 33

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.

Date of Hearing: April 14, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 40

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Committee on Agriculture

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Agriculture reports:
Assembly Bill No. 1061

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

MATTHEWS, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Agriculture reports:
Assembly Bill No. 460

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MATTHEWS, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Agriculture reports:
Assembly Bill No. 1059

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MATTHEWS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Business and Professions

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 313

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1177

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 430

Assembly Bill No. 1110

Assembly Bill No. 572

Assembly Bill No. 1196

Assembly Bill No. 1107

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1306

Assembly Bill No. 1409

Assembly Bill No. 1609

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 897

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 952

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.

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 208

Assembly Bill No. 444

Assembly Bill No. 1451

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills ordered to second reading.

Committee on Labor and Employment

Date of Hearing: April 14, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

Senate Joint Resolution No. 7

With the recommendation: Be adopted.

KORETZ, Chair

Above resolution ordered to third reading.

Committee on Local Government

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1590

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 11

Assembly Bill No. 1234

Assembly Bill No. 1460

With the recommendation: Do pass.

SALINAS, Chair

Above bills ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 712

Assembly Bill No. 1227

Assembly Bill No. 1233

With the recommendation: Do pass, and be re-referred to the Committee on Housing and Community Development.

SALINAS, Chair

Above bills re-referred to the Committee on Housing and Community Development.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 802

With the recommendation: Do pass, and be re-referred to the Committee on Water, Parks and Wildlife.

SALINAS, Chair

Above bill re-referred to the Committee on Water, Parks and Wildlife.

Committee on Health

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 78

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Business and Professions.

CHAN, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 71

Assembly Bill No. 530

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 591

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.

CHAN, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 394

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bill ordered to second reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 14, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 19

Assembly Concurrent Resolution No. 25

Assembly Concurrent Resolution No. 31

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of April, 2005, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

INTRODUCTION OF GUESTS

Assembly Member Spitzer, of the 71st Assembly District, introduced and welcomed Cindy, Lauren, and Grant Nichols and Jordan Smith.

ADJOURNMENT

At 3:15 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 12 noon, Monday, April 18, 2005, out of respect to the memory of Don McCullough, on motion of Assembly Member La Malfa; out of respect to the memory of Kieran "K.C." Burke, Tom Hobart, and Karl Esposti, on motion of Assembly Member Berg; out of respect to the memory of Paul Meade Kelly, Gregory Michael Otto, and Edward Thomas Martin III, on motion of Assembly Member Blakeslee; out of respect to the memory of Homer Williams Jr., on motion of Assembly Member Matthews; out of respect to the memory of John Belforte, on motion of Assembly Member Mullin; out of respect to the memory of Barbara Dewey, on motion of Assembly Member Nation; and out of respect to the memory of Malinda Frances Staats, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 14, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
23	0511132	777	0511109
109	0509805	809	0510998
122	0511334	817	0511557
160	0511194	839	0511634
178	0511714	847	0511562
183	0511151	855	0511165
215	0511041	978	0511145
263	0511196	991	0511147
331	0511114	1032	0511666
340	0510858	1034	0511106
365	0511355	1051	0511464
387	0511052	1069	0510994
403	0510986	1102	0511394
421	0511625	1113	0510758
502	0511280	1133	0510756
505	0510985	1158	0511008
512	0511501	1202	0510814
534	0511533	1208	0511413
545	0511518	1260	0511424
571	0511170	1320	0511206
574	0511422	1410	0511426
584	0511487	1462	0511155
585	0510274	1502	0510960
596	0511651	1606	0510861
609	0511009	1617	0511175
614	0511364	1622	0511476
620	0510999	1628	0511325
677	0511190	1670	0511766
698	0510981	1688	0511453
706	0511208	1724	0511134
715	0510849		
729	0511367	AJR	RN
737	0510993	7	0510956
765	0511220		

Daily Total:	65
Cumulative Total:	781

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 18, 2005

FIFTY-FIFTH SESSION DAY

ONE HUNDRED THIRTY-FOURTH 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, April 18, 2005

The Assembly met at 12:03 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Ruskin moved a quorum call of the Assembly.
Motion carried.

The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:09 p.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—76:

Aghazarian	Dymally	Laird	Plescia
Arambula	Emmerson	Leno	Richman
Baca	Frommer	Leslie	Ridley-Thomas
Bass	Garcia	Levine	Runner
Benoit	Goldberg	Lieber	Ruskin
Berg	Hancock	Liu	Saldaña
Bermúdez	Harman	Matthews	Salinas
Blakeslee	Haynes	Maze	Spitzer
Bogh	Horton, Jerome	McCarthy	Strickland
Calderon	Horton, Shirley	Montañez	Torricon
Canciamilla	Houston	Mountjoy	Tran
Chan	Huff	Mullin	Umberg
Chu	Jones	Nakanishi	Vargas
Cogdill	Karnette	Nation	Villines
Cohn	Keene	Nava	Walters
Coto	Klehs	Negrete McLeod	Wolk
Daucher	Koretz	Niello	Wyland
De La Torre	La Malfa	Parra	Yee
DeVore	La Suer	Pavley	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

O Lord, Teach us Your ways and make them known to us. Teach us to live according to Your truth, for You are our God, Who saves us, and in Whom we trust. The one constant we rely on in this life is that You are faithful even when we are not, so we ask for Your blessings today, Lord. Fill our hearts with Your joy and praise.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Huff then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Chavez.

Because of illness: Assembly Members Evans, Gordon, and Oropeza.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

April 15, 2005

The Honorable Fabian Núñez

Speaker

California State Assembly

State Capitol, Room 219

Sacramento, California

Dear Speaker Núñez: I respectfully request permission to be excused from session on Monday, April 18, 2005. The purpose is to tend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 15, 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 Gene Mullin to replace Assemblymember Mike Gordon on the Assembly Natural Resources Committee for the Monday, April 18 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 15, 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 Mark Leno to replace Assemblymember Fran Pavley on the Assembly Transportation Committee for the Monday, April 18 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 18, 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 created the Select Committee on Domestic Violence and appointed Assemblymember Rebecca Cohn as the Chair.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 18, 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 Lloyd Levine to replace Assemblymember Jenny Oropeza on the Assembly Transportation Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 18, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 609
Assembly Bill No. 620
Assembly Bill No. 698

Assembly Bill No. 1133
Assembly Bill No. 1158

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 18, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 7

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 18, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 33

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, April 18, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 23
Assembly Bill No. 109
Assembly Bill No. 122
Assembly Bill No. 160
Assembly Bill No. 178
Assembly Bill No. 183
Assembly Bill No. 215
Assembly Bill No. 263
Assembly Bill No. 331
Assembly Bill No. 340
Assembly Bill No. 365
Assembly Bill No. 387
Assembly Bill No. 403
Assembly Bill No. 421
Assembly Bill No. 502

Assembly Bill No. 505
Assembly Bill No. 512
Assembly Bill No. 534
Assembly Bill No. 545
Assembly Bill No. 571
Assembly Bill No. 574
Assembly Bill No. 584
Assembly Bill No. 585
Assembly Bill No. 596
Assembly Bill No. 614
Assembly Bill No. 648
Assembly Bill No. 677
Assembly Bill No. 706
Assembly Bill No. 715

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 18, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 729 | Assembly Bill No. 1069 |
| Assembly Bill No. 737 | Assembly Bill No. 1102 |
| Assembly Bill No. 765 | Assembly Bill No. 1113 |
| Assembly Bill No. 777 | Assembly Bill No. 1202 |
| Assembly Bill No. 809 | Assembly Bill No. 1208 |
| Assembly Bill No. 817 | Assembly Bill No. 1260 |
| Assembly Bill No. 839 | Assembly Bill No. 1320 |
| Assembly Bill No. 847 | Assembly Bill No. 1410 |
| Assembly Bill No. 855 | Assembly Bill No. 1462 |
| Assembly Bill No. 978 | Assembly Bill No. 1502 |
| Assembly Bill No. 991 | Assembly Bill No. 1606 |
| Assembly Bill No. 1032 | Assembly Bill No. 1617 |
| Assembly Bill No. 1034 | Assembly Bill No. 1622 |
| Assembly Bill No. 1051 | Assembly Bill No. 1628 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 18, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1670
- Assembly Bill No. 1688
- Assembly Bill No. 1724

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
37	Rev. & Tax.
53	B. & P.
311	Trans.
757	Health
1201	Nat. Res.
1210	B. & P. and Rls.
1228	Ed.
1258	Aging & L.T.C. and Health
1301	Ed.
1310	L. & E.
1434	Health
1437	A.,E.,S.,T. & I.M.
1572	Ins.
1593	Hum. S.
1652	P.E.,R. & S.S.
1686	Pub. S.
1690	L. Gov. and Higher Ed.

AUTHOR'S AMENDMENTS
Committee on Aging and Long-Term Care

April 18, 2005

Mr. Speaker: The Chair of your Committee on Aging and Long-Term Care reports:
Assembly Bill No. 1664

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERG, Chair

ASSEMBLY BILL NO. 1664—An act to add Section 23 to the Financial Code, and to amend Section 7480 of the Government Code, relating to elder abuse reporting.

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 Judiciary

April 18, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 112

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 112—An act to add Section 6347 to the Family Code, relating to protective orders.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

April 18, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1508

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1508—An act to amend Sections 52254, 52254.4, 52254.5, 52257.6, 52257.8, 52260, 52311, 52331, 52332, 52351, 52354, 52361, 52391, 52401, 52451, 52452, 52481, 52482, 52483, 52484, 52487, and 52511 of the Food and Agricultural Code, relating to agriculture.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 18, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 126
Assembly Bill No. 201
Assembly Bill No. 1141

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 126—An act to amend Section 1442.5 of, and to add Section 1442 to, the Health and Safety Code, relating to county hospitals.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 201—An act to add Section 14087.34 to the Welfare and Institutions Code, relating to health care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1141—An act to add Section 11833.1 to the Health and Safety Code, relating to alcohol and drug treatment, 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 Labor and Employment**

April 18, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 640

Assembly Bill No. 1093

Assembly Bill No. 875

Assembly Bill No. 1184

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 640—An act to add Section 511.5 to the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 875—An act to add Sections 511.1, 559, and 1197.2 to the Labor Code, relating to employee wages and working hours.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1093—An act to amend Sections 204, 213, 226, and 515.5 of the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1184—An act to add Section 19851.2 to the Government Code, relating to state employees.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 18, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 595

Assembly Bill No. 909

Assembly Bill No. 699

Assembly Bill No. 966

Assembly Bill No. 761

Assembly Bill No. 1321

Assembly Bill No. 779

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 595—An act to amend Section 4051 of, to add Section 4019.5 to, to repeal Section 4033 of, and to repeal and add Section 4123 of, the Business and Professions Code, relating to pharmacy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 699—An act to add Section 14105.9815 to the Welfare and Institutions 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.

ASSEMBLY BILL NO. 761—An act to add Section 1276.15 to the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 779—An act to add Section 14018.15 to the Welfare and Institutions 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.

ASSEMBLY BILL NO. 909—An act to add Section 1345.5 to the Health and Safety Code, and to add Section 10127.17 to the Insurance Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 966—An act to add Article 2 (commencing with Section 105336) to, and to add a heading as Article 1 (commencing with Section 105325) to, Chapter 6 of Part 5 of Division 103 of, the Health and Safety Code, relating to public 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.

ASSEMBLY BILL NO. 1321—An act to add Section 1379.1 to the Health and Safety Code, relating to health care service plans.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Human Services

April 18, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 300

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 300—An act to amend Section 1569.3 of the Health and Safety Code, relating to residential 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.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 18, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 919

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 919—An act to amend Sections 4521, 4523, 4524, 4525, 4528, 4529, 4530, and 4531 of, and to add Sections 4520, 4521.1, 4521.2, 4524.1, 4525.1, 4532, 4533, 4534, 4535, and 4536 to, 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 Health

April 18, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 772

Assembly Bill No. 1597

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 772—An act to amend Section 49557.2 of the Education Code, to amend Section 123290 of the Health and Safety Code, to amend Sections 12693.98 and 12693.981 of, to add Sections 12693.22, 12693.444, 12693.445, 12693.701, 12693.702, 12693.703, and 12693.983 to, and to add Chapter 17 (commencing with Section 12693.99) to Part 6.2 of Division 3, of the Insurance Code, and to amend Sections 14005.23, 14005.41, and 18925 of, and to add Sections 14005.71 and 14011.65 to, the Welfare and Institutions Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1597—An act to add Chapter 1.5 (commencing with Section 120780) to Part 4 of Division 105 of the Health and Safety Code, relating to drug paraphernalia.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 18, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 9

Assembly Bill No. 1077

Assembly Bill No. 956

Assembly Bill No. 1246

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 9—An act relating to education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 956—An act to add Section 17070.96 to the Education Code, relating to school 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.

ASSEMBLY BILL NO. 1077—An act to add Section 49452.7 to the Education Code, relating to pupil 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.

ASSEMBLY BILL NO. 1246—An act to add Sections 8238 and 8239 to the Education Code, relating to preschool programs.

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

April 18, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 648

Assembly Bill No. 1387

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 648—An act to amend Section 65940 of the Government Code and, to amend Section 21092.1 of, and to add Section 21083.10 to, the Public Resources Code, relating to environmental quality.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1387—An act to amend Section 21081 of the Public Resources Code, relating to environmental quality.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

April 18, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Assembly Bill No. 611

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 611—An act to amend Section 19984 of the Business and Professions Code, relating to gambling.

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

April 18, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
 Assembly Bill No. 96

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 96—An act to amend Section 1203.097 of the Penal Code, relating to probation.

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 Employees, Retirement and Social Security

April 18, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 224

Assembly Bill No. 565

Assembly Bill No. 1206

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 224—An act to amend Sections 20352, 20638, 31453, 31461.3, 31700, 31831, 31831.2, 31833, 31834, 31835, and 31837 of, and to repeal Sections 20355, 20356, 31835.02, 31837.1, 31840.4, 31840.5, 31840.6, and 31840.7 of, the Government Code, relating to county employees' retirement.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 565—An act to amend Section 19824 of the Government Code, relating to public employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1206—An act to add Section 1227 to the Government Code, relating to public employment relations.

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

April 18, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 753

Assembly Bill No. 898

Assembly Bill No. 850

Assembly Bill No. 1087

Assembly Bill No. 852

Assembly Bill No. 1550

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 753—An act to amend Sections 25658, 25658.2, 25658.5, and 25662 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 850—An act to amend Section 143 of the Streets and Highways Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 852—An act to amend Section 1190 of the Harbors and Navigation Code, relating to ports and harbors, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 898—An act to amend Section 44014.5 of the Health and Safety Code, relating to air pollution.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1087—An act to amend Section 23114 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1550—An act to amend Section 26613 of the Government Code, relating to traffic enforcement.

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 Judiciary

April 18, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 102

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 102—An act to add Section 6219.5 to, and to repeal and add Section 6219 of, the Family Code, relating to domestic violence.

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 Health

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 977

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: March 30, 2005

Mr. Speaker: Your Committee on Insurance reports:
Assembly Bill No. 527

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 95

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bill ordered to second reading.

Committee on Veterans Affairs

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Bill No. 1725

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CANCIAMILLA, Acting Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1435

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 30

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Veterans Affairs.

TORRICO, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 20

With the recommendation: Be adopted, as amended.

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.

CHU, Chair

Above resolution ordered to second reading.

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 694

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Date of Hearing: April 6, 2005

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 249

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 53
Assembly Joint Resolution No. 1

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 21

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.

Committee on Water, Parks and Wildlife

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 1487

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 338
Assembly Bill No. 1001

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 Public Safety

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 100

With amendments with the recommendation: Amend, and do pass, as amended.

LENO, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1132

With amendments with the recommendation: Amend, and do pass, as amended.

OROPEZA, Chair

Above bill ordered to second reading.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 371

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Water, Parks and Wildlife.

RUSKIN, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 290

Assembly Bill No. 1081

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

RUSKIN, Chair

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 654

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 515

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Water, Parks and Wildlife.

LEVINE, Chair

Above bill ordered to second reading.

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 746

With amendments with the recommendation: Amend, and do pass, as amended.

LEVINE, Chair

Above bill ordered to second reading.

BILLS REMOVED FROM CONSENT CALENDAR

The following resolution was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Joint Resolution No. 8, on request of Assembly Member Plescia.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 310 from the Committee on Public Employees, Retirement and Social Security to the Committee on Banking and Finance;

Assembly Bill No. 574 from the Committee on Business and Professions to the Committee on Natural Resources;

Assembly Bill No. 648 from the Committee on Natural Resources to the Committee on Local Government;

Assembly Bill No. 748 from the Committee on Utilities and Commerce to the Committee on Transportation;

Assembly Bill No. 759 from the Committee on Health to the Committee on Public Safety;

Assembly Bill No. 1317 from the Committee on Public Safety to the Committee on Appropriations;

Assembly Bill No. 1445 from the Committee on Higher Education to the Committee on Veterans Affairs and to the Committee on Judiciary;

Assembly Bill No. 1606 from the Committee on Local Government to the Committee on Housing and Community Development;

Assembly Bill No. 1670 from the Committee on Revenue and Taxation to the Committee on Health.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Agriculture to hear Assembly Bill No. 1548 on Wednesday, April 21, 2005;

Committee on Education to hear Assembly Bill No. 110 and Assembly Bill No. 405 on Wednesday, April 21, 2005;

Committee on Public Employees, Retirement and Social Security to hear Assembly Bill No. 587 on Wednesday, April 21, 2005.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Frommer was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the Committee on Appropriations to notice hearing of Senate Bill No. 737 on Wednesday, April 21, 2005, pending re-referral to the committee.

RECESS

By unanimous consent, at 12:15 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Maze, Liu, La Malfa, and Daucher introduced and presented a resolution to Marybeth Carter, Executive Director of the California Coalition Against Sexual Assault in recognition of the association's 25th anniversary.

* * *

Assembly Member Negrete McLeod introduced Kenneth Williams, retiring president of the San Bernardino Public Employees Association.

Assembly Member Wolk introduced and presented a resolution to Steven Chappell, Executive Director of the Suisun Resources Conservation District, to thank him for taking actions above and beyond the call of duty to protect the natural resources of this great state.

* * *

Assembly Member Nakanishi introduced California Automotive Wholesalers' Association board members, Gary Mueller, Bart Scott, Sam Cracraft, and Tom Ramos. Congratulations were offered to the California Automotive Wholesalers' Association for the association's 50th anniversary.

* * *

Speaker pro Tempore Yee introduced the leadership class from St. Helena High School on behalf of Assembly Member Evans.

RECONVENED

At 12:20 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 620, 698, 1133, 609, and 1158, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 13—An act to add Article 3.5 (commencing with Section 221.2) to Chapter 2 of Part 1 of the Education Code, relating to schools.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 56—An act to amend Sections 21456.2 and 21456.3 of, and to amend and repeal Section 21450 of, the Vehicle Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 85—An act to amend Sections 48000, 48001, and 48002 of, and to repeal and add Section 48002.5 of, the Food and Agricultural Code, relating to citrus fruit crops, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 107—An act to amend Section 11202 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 242—An act to amend Sections 826, 12340.5, 12389, and 12389.1 of, and to add Sections 12389.7 and 12389.8 to, the Insurance Code, relating to underwritten title companies.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 352—An act to amend Sections 12126 and 12130 of the Penal Code, relating to firearms.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 483—An act to amend Sections 18804 and 18808 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 547—An act to amend Section 11364.7 of, and to add Chapter 18 (commencing with Section 121349) to Part 4 of Division 105 of, the Health and Safety Code, relating to clean needle and syringe exchange.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 643—An act to amend Section 3533 of the Government Code, relating to state employees.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 843—An act to amend Section 22251 of, and to add Section 22253.1 to, the Business and Professions Code, relating to tax preparers.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 866—An act to amend Section 20440 of the Elections Code, relating to the Code of Fair Campaign Practices.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 982—An act to amend Section 76355 of the Education Code relating to community colleges.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1426—An act to amend Section 597u of, and to repeal Section 597w of, the Penal Code, relating to animals.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 70—An act to amend Section 4467 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 118—An act to amend Section 3100 of the Family Code, and to amend Section 136.2 of the Penal Code, relating to protective orders.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 297—An act to amend Sections 19583.5 and 19583.51 of the Government Code, relating to state employees.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 322—An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 382—An act to repeal Section 91521.3 of the Government Code, relating to industrial development financing.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 392—An act to amend Sections 18986.86 and 18986.87 of, and to repeal Section 18986.88 of, the Welfare and Institutions Code, relating to county integrated health and human services.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 429—An act to amend Section 527.8 of the Code of Civil Procedure, to amend Section 6383 of the Family Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to temporary restraining orders and protective orders.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 465—An act to amend Sections 11100, 11100.1, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 489—An act to amend Section 2196.1 of the Streets and Highways Code, relating to transportation.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 541—An act to amend Section 3041.5 of the Family Code, and to amend Sections 2341 and 2854 of the Probate Code, relating to guardians.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 780—An act to amend Section 11125.1 of the Government Code, relating to public meetings.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 785—An act to amend Sections 505.2, 11400, 11405, and 11406 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 947—An act to amend Section 94110 of the Education Code, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 988—An act to amend Section 186.2 of the Penal Code, relating to criminal profiteering.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1188—An act to amend Sections 11162 and 11166.01 of the Penal Code, and to amend Section 15630 of the Welfare and Institutions Code, relating to abuse.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1391—An act to amend Sections 82027.5 and 82048.7 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1566—An act to amend Section 530.5 of the Penal Code, relating to crime.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 709—An act to amend Section 83124 of, and to add Section 85301.5 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 313—An act to amend Section 14681.5 of the Government Code, relating to parole.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1306—An act to amend Sections 33126 and 49600 of the Education Code, relating to school personnel.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1409—An act to amend Section 60851 of, and to add Section 60851.2 to, the Education Code, relating to academic assessment.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1609—An act to amend Section 33126 of the Education Code, relating to vocational education.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 897—An act to add Section 56353 to the Education Code, relating to public schools.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 952—An act to add and repeal Section 17463.8 of the Education Code, relating to public schools.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 208—An act to amend Sections 48306 and 48308 of the Education Code, relating to schools districts.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 444—An act to amend Section 49531.1 of the Education Code, relating to pupils.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1451—An act to amend Section 17071.75 of, and to repeal Sections 17071.35 and 17071.40 of, the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1590—An act to amend Section 97.72 of the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

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 Appropriations.

ASSEMBLY BILL NO. 11—An act to add Section 36516.3 to the Government Code, relating to city councils.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1234—An act to add Article 2.3 (commencing with Section 53232) and Article 2.4 (commencing with Section 53234) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local agencies.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1460—An act to amend Section 66499.7 of the Government Code, relating to subdivided lands.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 78—An act to add Division 113 (commencing with Section 150000) to the Health and Safety Code, relating to pharmacy benefits management.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Business and Professions.

ASSEMBLY BILL NO. 71—An act to add Article 7 (commencing with Section 111657) to Chapter 6 of Part 5 of Division 104 of the Health and Safety Code, relating to pharmaceuticals.

Bill read second time, amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 530—An act to add Section 14123.05 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 591—An act to add Section 6535 to the Government Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 394—An act to amend Section 12956.1 of, and to add Section 12956.2 to, the Government Code, relating to housing.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 18, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 13 | Assembly Bill No. 483 |
| Assembly Bill No. 56 | Assembly Bill No. 547 |
| Assembly Bill No. 107 | Assembly Bill No. 643 |
| Assembly Bill No. 242 | Assembly Bill No. 866 |
| Assembly Bill No. 352 | Assembly Bill No. 1426 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 18, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 70 | Assembly Bill No. 780 |
| Assembly Bill No. 297 | Assembly Bill No. 785 |
| Assembly Bill No. 382 | Assembly Bill No. 947 |
| Assembly Bill No. 392 | Assembly Bill No. 1188 |
| Assembly Bill No. 465 | Assembly Bill No. 1566 |
| Assembly Bill No. 489 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY JOINT RESOLUTION NO. 7 (Huff)—Relative to ZIP Codes.
Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 7

Assembly Member Huff was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 7.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chu, Cohn, Coto, Daucher, De La Torre, Emmerson, Frommer, Garcia, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jones, Keene, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Maze, McCarthy, Montañez, Mountjoy, Nakanishi, Nava, Negrete McLeod, Niello, Núñez, Parra, Pavley, Plescía, Richman, Ridley-Thomas, Runner, Ruskin, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Huff was granted unanimous consent to take up Assembly Joint Resolution No. 7, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 7, as Amended

ASSEMBLY JOINT RESOLUTION NO. 7—Relative to ZIP Codes.

Resolution read, as amended, and adopted by the following vote:

AYES—73

Aghazarian	Dymally	Leno	Ridley-Thomas
Arambula	Emmerson	Leslie	Runner
Baca	Frommer	Levine	Ruskin
Bass	Garcia	Lieber	Saldaña
Benoit	Goldberg	Liu	Salinas
Berg	Hancock	Matthews	Spitzer
Bermúdez	Harman	Maze	Strickland
Blakeslee	Haynes	McCarthy	Torrico
Bogh	Horton, Jerome	Montañez	Tran
Calderon	Horton, Shirley	Mountjoy	Umberg
Canciamilla	Houston	Nakanishi	Villines
Chan	Huff	Nation	Walters
Chu	Jones	Nava	Wolk
Cogdill	Keene	Negrete McLeod	Wyland
Cohn	Klehs	Niello	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	La Suer	Plescía	
DeVore	Laird	Richman	

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 13 (Torrico)—Relative to Social Security.

Resolution read.

Motion to Amend by Assembly Member Torrico

Assembly Member Torrico moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted, and to be returned to the third reading file.

ASSEMBLY BILL NO. 190 (Negrete McLeod)—An act to add and repeal Article 13.51 (commencing with Section 18846) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	Dymally	Leno	Runner
Arambula	Emmerson	Leslie	Ruskin
Baca	Frommer	Levine	Saldaña
Bass	Garcia	Lieber	Salinas
Benoit	Goldberg	Liu	Spitzer
Berg	Hancock	Matthews	Strickland
Bermúdez	Harman	Maze	Torrico
Blakeslee	Horton, Jerome	McCarthy	Tran
Bogh	Horton, Shirley	Montañez	Umberg
Calderon	Houston	Mountjoy	Vargas
Canciamilla	Huff	Mullin	Villines
Chan	Jones	Nakanishi	Walters
Chu	Karnette	Nation	Wolk
Cogdill	Keene	Nava	Wyland
Cohn	Klehs	Negrete McLeod	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	La Suer	Plescia	
DeVore	Laird	Richman	

NOES—2

Haynes Niello

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1003 (Nava)—An act to amend Section 12 of the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session), relating to the Ventura County Watershed Protection District.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Frommer moved a call of the Assembly.

Motion carried. Time, 12:32 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 791 (Lieber)—An act to amend Sections 798.19 and 1940 of the Civil Code, relating to tenancy.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Lieber moved a call of the Assembly.

Motion carried. Time, 12:34 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

RECESS

By unanimous consent, at 12:35 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Ridley-Thomas introduced actress Jasmine Guy.

RECONVENED

At 12:36 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 225 (Negrete McLeod)—An act to amend Section 650 of the Business and Professions Code, relating to healing arts.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Emmerson	Leno	Richman
Arambula	Frommer	Leslie	Ridley-Thomas
Baca	Garcia	Levine	Runner
Benoit	Goldberg	Lieber	Ruskin
Berg	Hancock	Liu	Saldaña
Bermúdez	Harman	Matthews	Salinas
Blakeslee	Haynes	Maze	Spitzer
Bogh	Horton, Jerome	McCarthy	Strickland
Calderon	Horton, Shirley	Montañez	Torrico
Canciamilla	Houston	Mountjoy	Tran
Chan	Huff	Mullin	Umberg
Chu	Jones	Nakanishi	Vargas
Cogdill	Karnette	Nation	Villines
Cohn	Keene	Nava	Walters
Coto	Klehns	Negrete McLeod	Wolk
Daucher	Koretz	Niello	Wyland
De La Torre	La Malfa	Parra	Yee
DeVore	La Suer	Pavley	Mr. Speaker
Dymally	Laird	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 163 (Bermudez)—An act to amend Section 7316 of the Business and Professions Code, relating to barbering and cosmetology.

Bill read third time, and passed by the following vote:

AYES—70

Aghazarian	Frommer	Leno	Richman
Arambula	Garcia	Leslie	Ridley-Thomas
Baca	Goldberg	Levine	Ruskin
Bass	Hancock	Lieber	Saldaña
Berg	Harman	Liu	Salinas
Bermúdez	Haynes	Matthews	Strickland
Bogh	Horton, Jerome	Maze	Torrico
Calderon	Horton, Shirley	Montañez	Tran
Canciamilla	Houston	Mountjoy	Umberg
Chan	Huff	Mullin	Vargas
Chu	Jones	Nakanishi	Villines
Cogdill	Karnette	Nation	Walters
Cohn	Keene	Nava	Wolk
Coto	Klehs	Negrete McLeod	Wyland
Daucher	Koretz	Niello	Yee
De La Torre	La Malfa	Parra	Mr. Speaker
DeVore	La Suer	Pavley	
Dymally	Laird	Plescia	

NOES—1

Spitzer

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 163: Assembly Member Runner from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 205 (Ruskin)—An act to amend Section 1706 of the Business and Professions Code, relating to dentistry.

Bill read third time, and passed by the following vote:

AYES—69

Aghazarian	Dymally	Leno	Runner
Arambula	Emmerson	Levine	Ruskin
Baca	Frommer	Lieber	Saldaña
Bass	Garcia	Liu	Salinas
Benoit	Goldberg	Matthews	Strickland
Berg	Hancock	Maze	Torrico
Bermúdez	Horton, Jerome	Montañez	Tran
Blakeslee	Horton, Shirley	Mountjoy	Umberg
Bogh	Houston	Mullin	Vargas
Calderon	Huff	Nakanishi	Villines
Canciamilla	Jones	Nation	Walters
Chan	Karnette	Nava	Wolk
Chu	Keene	Negrete McLeod	Wyland
Cogdill	Klehs	Parra	Yee
Cohn	Koretz	Pavley	Mr. Speaker
Coto	La Malfa	Plescia	
Daucher	La Suer	Richman	
De La Torre	Laird	Ridley-Thomas	

NOES—6

DeVore	Haynes	Niello
Harman	Leslie	Spitzer

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 665 (Salinas)—An act to amend Section 51032 of the Government Code, relating to massage.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Dymally	Laird	Richman
Arambula	Emmerson	Leno	Ridley-Thomas
Baca	Frommer	Leslie	Runner
Bass	Garcia	Levine	Ruskin
Benoit	Goldberg	Lieber	Saldaña
Berg	Hancock	Liu	Salinas
Bermúdez	Harman	Matthews	Spitzer
Blakeslee	Haynes	Maze	Strickland
Bogh	Horton, Jerome	Montañez	Torrigo
Calderon	Horton, Shirley	Mountjoy	Tran
Canciamilla	Houston	Mullin	Umberg
Chan	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Karnette	Nava	Walters
Cohn	Keene	Negrete McLeod	Wolk
Coto	Klehs	Niello	Wyland
Daucher	Koretz	Parra	Yee
De La Torre	La Malfa	Pavley	Mr. Speaker
DeVore	La Suer	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1326 (Vargas)—An act to amend Section 12304.2 of the Welfare and Institutions Code, relating to public social services.

Bill read third time, and passed by the following vote:

AYES—61

Aghazarian	Dymally	Leno	Ridley-Thomas
Arambula	Frommer	Leslie	Ruskin
Baca	Garcia	Levine	Saldaña
Bass	Goldberg	Lieber	Salinas
Berg	Hancock	Liu	Spitzer
Bermúdez	Horton, Jerome	Matthews	Torrigo
Blakeslee	Horton, Shirley	Montañez	Tran
Bogh	Houston	Mullin	Umberg
Calderon	Huff	Nakanishi	Vargas
Canciamilla	Jones	Nation	Wolk
Chan	Karnette	Nava	Wyland
Chu	Keene	Negrete McLeod	Yee
Cohn	Klehs	Niello	Mr. Speaker
Coto	Koretz	Parra	
Daucher	La Malfa	Pavley	
De La Torre	Laird	Plescia	

NOES—10

Benoit	Haynes	Richman	Walters
DeVore	La Suer	Strickland	
Harman	Mountjoy	Villines	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 873 (Bogh)—An act to amend Section 2071 of, and to add Section 2084 to, the Insurance Code, relating to homeowners’ insurance.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Dymally	Laird	Richman
Arambula	Emmerson	Leno	Runner
Baca	Frommer	Leslie	Ruskin
Bass	Garcia	Levine	Saldaña
Benoit	Goldberg	Lieber	Salinas
Berg	Hancock	Liu	Spitzer
Bermúdez	Harman	Matthews	Strickland
Blakeslee	Haynes	Maze	Torricon
Bogh	Horton, Jerome	Montañez	Tran
Calderon	Horton, Shirley	Mountjoy	Umberg
Canciamilla	Houston	Mullin	Vargas
Chan	Huff	Nakanishi	Villines
Chu	Jones	Nation	Walters
Cogdill	Karnette	Nava	Wolk
Cohn	Keene	Negrete McLeod	Wyland
Coto	Kleh	Niello	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	La Suer	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 11 (Dymally)—Relative to the Public Employees’ Retirement System.

Resolution read.

At 1:02 p.m., Assistant Speaker pro Tempore Sally Lieber, 22nd District, presiding

Members Made Coauthors of Assembly Concurrent Resolution No. 11

Assembly Member Dymally was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 11.

Roll Call

The following Assembly Members indicated a desire to become coauthors;

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Calderon, Canciamilla, Chan, Chu, Cogdill, Cohn, Coto, Daucher, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Jones, Karnette, Keene, Klehs, Koretz, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torricon, Tran, Umberg, Vargas, Villines, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Dymally was granted unanimous consent to take up Assembly Concurrent Resolution No. 11, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 11, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 11—Relative to the Public Employees' Retirement System.

Resolution read, as amended, and adopted by the following vote:

AYES—64

Aghazarian	Dymally	Leslie	Richman
Arambula	Frommer	Levine	Ridley-Thomas
Baca	Garcia	Lieber	Ruskin
Bass	Goldberg	Liu	Saldaña
Benoit	Hancock	Matthews	Salinas
Berg	Harman	Maze	Spitzer
Bermúdez	Haynes	Montañez	Strickland
Bogh	Horton, Jerome	Mullin	Torrigo
Calderon	Horton, Shirley	Nakanishi	Tran
Canciamilla	Jones	Nation	Umberg
Chan	Karnette	Nava	Vargas
Chu	Keene	Negrete McLeod	Villines
Cogdill	Klehs	Niello	Wolk
Cohn	Koretz	Parra	Wyland
Coto	Laird	Pavley	Yee
Daucher	Leno	Plescía	Mr. Speaker

NOES—7

Blakeslee	Houston	La Suer	Walters
DeVore	Huff	Mountjoy	

Resolution ordered transmitted to the Senate.

ASSEMBLY BILL NO. 592 (Yee)—An act to amend Section 2234.1 of the Business and Professions Code, relating to healing arts.

Bill read third time, and passed by the following vote:

AYES—55

Arambula	Frommer	Levine	Saldaña
Baca	Goldberg	Lieber	Salinas
Bass	Hancock	Liu	Strickland
Berg	Haynes	Matthews	Torrigo
Bermúdez	Horton, Jerome	Montañez	Tran
Blakeslee	Horton, Shirley	Mullin	Umberg
Calderon	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cohn	Keene	Negrete McLeod	Wolk
Coto	Koretz	Parra	Wyland
De La Torre	La Malfa	Pavley	Yee
DeVore	Laird	Ridley-Thomas	Mr. Speaker
Dymally	Leno	Ruskin	

NOES—19

Aghazarian	Daucher	La Suer	Plescía
Benoit	Emmerson	Leslie	Richman
Bogh	Garcia	Maze	Runner
Canciamilla	Harman	Mountjoy	Spitzer
Cogdill	Klehs	Niello	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1209 (Yee)—An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

Bill read third time, and passed by the following vote:

AYES—46

Arambula	De La Torre	Levine	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Montañez	Torrico
Calderon	Horton, Jerome	Mullin	Umberg
Canciamilla	Jones	Nation	Vargas
Chan	Karnette	Nava	Wolk
Chu	Klehs	Negrete McLeod	Yee
Cohn	Koretz	Parra	Mr. Speaker
Coto	Laird	Pavley	
Daucher	Leno	Richman	

NOES—28

Aghazarian	Garcia	La Malfa	Runner
Benoit	Harman	La Suer	Spitzer
Blakeslee	Haynes	Leslie	Strickland
Bogh	Horton, Shirley	Maze	Tran
Cogdill	Houston	Mountjoy	Villines
DeVore	Huff	Niello	Walters
Emmerson	Keene	Plescia	Wyland

Bill ordered transmitted to the Senate.

At 1:13 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

THIRD READING OF SENATE BILLS

SENATE JOINT RESOLUTION NO. 7 (Bowen)—Relative to Equal Pay Day.

Resolution read, and presented by Assembly Member Lieber.

Motion to Amend by Assembly Member Lieber

Assembly Member Lieber moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bill

ASSEMBLY BILL NO. 865 (Ruskin)—An act to add Section 22064 to the Financial Code, relating to finance lenders.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Dymally	Laird	Richman
Arambula	Emmerson	Leno	Ridley-Thomas
Baca	Frommer	Leslie	Runner
Bass	Garcia	Levine	Ruskin
Benoit	Goldberg	Lieber	Saldaña
Berg	Hancock	Liu	Salinas
Bermúdez	Harman	Matthews	Spitzer
Blakeslee	Haynes	Maze	Strickland
Bogh	Horton, Jerome	Montañez	Torrico
Calderon	Horton, Shirley	Mountjoy	Tran
Canciamilla	Houston	Mullin	Umberg
Chan	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Karnette	Nava	Walters
Cohn	Keene	Negrete McLeod	Wolk
Coto	Kleh	Niello	Wyland
Daucher	Koretz	Parra	Yee
De La Torre	La Malfa	Pavley	Mr. Speaker
DeVore	La Suer	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Joint Resolution No. 2

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

**SENATE JOINT RESOLUTION NO. 2 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Frommer was granted unanimous consent to take up Senate Joint Resolution No. 2, without reference to committee.

SENATE JOINT RESOLUTION NO. 2—Relative to the Armenian Genocide.

Resolution read.

Members Made Coauthors of Senate Joint Resolution No. 2

Assembly Member Frommer was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Joint Resolution No. 2.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Matthews, Maze, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Frommer was granted unanimous consent to take up Senate Joint Resolution No. 2, as amended, without reference to print or file.

Consideration of Senate Joint Resolution No. 2, as Amended

SENATE JOINT RESOLUTION NO. 2—Relative to the Armenian Genocide.

Resolution read, as amended, and adopted by the following vote:

AYES—75

Aghazarian	Dymally	Laird	Richman
Arambula	Emmerson	Leno	Ridley-Thomas
Baca	Frommer	Leslie	Runner
Bass	Garcia	Levine	Ruskin
Benoit	Goldberg	Lieber	Saldaña
Berg	Hancock	Liu	Salinas
Bermúdez	Harman	Matthews	Spitzer
Blakeslee	Haynes	Maze	Strickland
Bogh	Horton, Jerome	Montañez	Torrico
Calderon	Horton, Shirley	Mountjoy	Tran
Canciamilla	Houston	Mullin	Umberg
Chan	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Karnette	Nava	Walters
Cohn	Keene	Negrete McLeod	Wolk
Coto	Klehs	Niello	Wyland
Daucher	Koretz	Parra	Yee
De La Torre	La Malfa	Pavley	Mr. Speaker
DeVore	La Suer	Plescia	

NOES—None

Resolution ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1003**

At 1:28 p.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1003 passed by the following vote:

AYES—43

Arambula	De La Torre	Leno	Richman
Baca	Dymally	Levine	Ridley-Thomas
Bass	Frommer	Lieber	Ruskin
Berg	Goldberg	Liu	Saldaña
Bermúdez	Hancock	Matthews	Salinas
Calderon	Horton, Jerome	Montañez	Torricon
Canciamilla	Jones	Mullin	Vargas
Chan	Karnette	Nation	Wolk
Chu	Klehs	Nava	Yee
Cohn	Koretz	Parra	Mr. Speaker
Daucher	Laird	Pavley	

NOES—29

Aghazarian	Horton, Shirley	McCarthy	Tran
Benoit	Houston	Mountjoy	Umberg
Blakeslee	Huff	Nakanishi	Villines
Bogh	Keene	Niello	Walters
Cogdill	La Malfa	Plescia	Wyland
DeVore	La Suer	Runner	
Garcia	Leslie	Spitzer	
Haynes	Maze	Strickland	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1003; Assembly Member Umberg from "Aye" to "No".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 791**

At 1:29 p.m., on motion of Assembly Member Lieber, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 791 passed by the following vote:

AYES—41

Arambula	Frommer	Levine	Ruskin
Baca	Goldberg	Lieber	Saldaña
Bass	Hancock	Liu	Salinas
Berg	Harman	Matthews	Torrico
Bermúdez	Horton, Jerome	Montañez	Umberg
Bogh	Jones	Mullin	Wolk
Chan	Karnette	Nation	Yee
Chu	Klehs	Nava	Mr. Speaker
Cohn	Koretz	Negrete McLeod	
De La Torre	Laird	Pavley	
Dymally	Leno	Ridley-Thomas	

NOES—31

Aghazarian	Haynes	Maze	Runner
Benoit	Horton, Shirley	McCarthy	Spitzer
Blakeslee	Houston	Mountjoy	Strickland
Cogdill	Huff	Nakanishi	Tran
Daucher	Keene	Niello	Villines
DeVore	La Malfa	Parra	Walters
Emmerson	La Suer	Plescia	Wyland
Garcia	Leslie	Richman	

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Klehs announced that the Committee on Revenue and Taxation would meet at 1:45 p.m. today, in Room 126.

Assembly Member Jerome Horton announced that the Committee on Governmental Organization would meet today, upon adjournment of Floor Session, in the Tom Bane Rules Committee Room.

Assembly Member Hancock announced that the Committee on Natural Resources would meet at 1:45 p.m. today, in Room 447.

Assembly Member Karnette announced that the Committee on Transportation would meet at 2 p.m. today, in Room 4202.

ADJOURN IN MEMORY

Assembly Member Coto was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rodolfo “Corky” Gonzales, of Denver, CO and Vanessa Beatriz Martinez, of Fresno.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of David Atchison, of Palm Desert.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Blakeslee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cpl. Garrywesley T. Rimes, of Santa Maria.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Leno and Berg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marla Ruzicka, of San Francisco.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Chu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Norma Heitman, of Monterey Park and Bea Hirano, of San Gabriel.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert David Durben, of Lancaster.

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 Lois M. Fassler, of Davis; William J. Fleshman, Joan E. Mallen, and Earl Leander Wold, of Vacaville; and Alfonso Joseph Zappocosta, of Woodland.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Joint Resolution No. 7: Baca, Houston, Keene, Levine, Parra, and Spitzer—Aye.

Assembly Bill No. 190: Baca, Bermúdez, Houston, Keene, Levine, Montañez, Mountjoy, Parra, and Spitzer—Aye; Niello—No.

Assembly Bill No. 225: Aghazarian, Bermúdez, Haynes, Keene, Levine, Montañez, and Parra—Aye.

Assembly Bill No. 163: Aghazarian, Canciamilla, Haynes, Jones, Keene, La Suer, Nakanishi, Negrete McLeod, Plescia, and Wyland—Aye; Spitzer—No.

Assembly Bill No. 205: Aghazarian, De La Torre, La Malfa, Levine, Montañez, and Mountjoy—Aye; Niello—No.

Assembly Bill No. 665: Houston, Leno, and Mountjoy—Aye.

Assembly Bill No. 1326: Daucher, De La Torre, La Malfa, Leslie, and Niello—Aye; Benoit and Mountjoy—No.

Assembly Bill No. 873: Karnette, Lieber, Mountjoy, and Umberg—Aye.

Assembly Concurrent Resolution No. 11: Mountjoy—No.

Assembly Bill No. 592: Montañez and Wyland—Aye; Mountjoy and Spitzer—No.

Assembly Bill No. 1209: Canciamilla and Richman—Aye; Leslie, Mountjoy, and Spitzer—No.

Consent Calendar: Bogh, De La Torre, and Mountjoy—Aye.

Senate Joint Resolution No. 2: Montañez—Aye.

Assembly Bill No. 1003: Arambula and Daucher—Aye; Shirley Horton, Mountjoy, and Spitzer—No.

Assembly Bill No. 791: Shirley Horton and Wyland—No.

MOTION TO ADJOURN

At 1:37 p.m., Assembly Member Levine moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:38 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS

Committee on Environmental Safety and Toxic Materials

April 18, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 575

Assembly Bill No. 1078

Assembly Bill No. 1271

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 575—An act to amend Sections 42463, 42464, and 42464.2 of the Public Resources Code, relating to electronic 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.

ASSEMBLY BILL NO. 1078—An act to add Chapter 6.9.1 (commencing with Section 25400.10) to Division 20 of the Health and Safety Code, relating to contaminated property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1271—An act to add Section 13275 to the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Natural Resources

April 18, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1201

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 1201—An act to amend Section 10750 of the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 18, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 881

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 881—An act to amend, repeal, and add Section 7125 of the Business and Professions Code, and to add and repeal Section 11665 of the Insurance Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 18, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1421

Assembly Bill No. 1690

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1421—An act to add Section 115 to the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1690—An act relating to municipal services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Housing and Community Development

April 18, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 1064

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 1064—An act to amend and repeal Section 18552 of the Health and Safety Code, relating to mobilehome parks, 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 Judiciary

April 18, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 1742

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 1742—An act to amend Sections 116.330, 116.340, 116.780, 396b, and 998 of, and to repeal and add Section 116.725 of, the Code of Civil Procedure, to amend Sections 811.9, 905, 910.4, and 69926.5 of, and to add Section 905.7 to, the Government Code, and to amend Section 213.5 of the Welfare and Institutions Code, relating to courts.

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

April 18, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 399

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 399—An act to add Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

Bill read second time; 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

April 18, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1765

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1765—An act to amend Section 16302.1 of the Government Code, and to amend Sections 6479.3, 7659.9, 8760, 9405, 9407, 9411, 9420, 9432, 30180, 30190, 30283, 32260, 40067, 41060, 43170, 45160, 46160, 50112.7, 55050, 60043, 60250, and 60603 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 Health

April 18, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 813

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 813—An act to amend Section 2313 of, and to add Sections 2190.6 and 2249.5 to, the Business and Professions Code, and to add Section 138.7 to the Health and Safety Code, relating to health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 18, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1089

Assembly Bill No. 1212

Assembly Bill No. 1531

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1089—An act relating to career technical programs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1212—An act to add Section 60043.5 to the Education Code, relating to instructional materials.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1531—An act to add Section 60856.1 to the Education Code, relating to academic 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.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

April 18, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 24

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 24—An act to amend Section 4800 of, and to add Section 4810 to, the Fish and Game Code, relating to mountain lions.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

April 18, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 409

Assembly Bill No. 910

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 409—An act to amend Section 14838 of the Government Code, relating to state 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.

ASSEMBLY BILL NO. 910—An act to add Section 13984 to the Government Code, relating to life sciences.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Human Services

April 18, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 1145

Assembly Bill No. 1593

Assembly Bill No. 1378

Assembly Bill No. 1601

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 1145—An act to amend Section 4851 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1378—An act to add Section 854.1 to the Government Code, and to add Section 4474.2 to the Welfare and Institutions Code, relating to developmental services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1593—An act relating to child nutrition.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1601—An act to amend Section 1596.66 of the Health and Safety Code, relating to child care, 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

April 18, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 54

Assembly Bill No. 861

Assembly Bill No. 361

Assembly Bill No. 1541

Assembly Bill No. 488

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 54—An act to amend Section 11011.15 of the Government Code, relating to state property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 361—An act to amend Section 1189 of the Civil Code, to amend Sections 8206 and 8225 of, and to add Sections 8214.7, 8214.8, and 8228.1 to, the Government Code, and to amend Section 470 of the Penal Code, relating to notaries public.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 488—An act to amend Sections 3145, 3146, 3147, 3147.6, 3148, 3150, 3152, and 3152.5 of, to amend and renumber Sections 3090.1, 3096, 3096.5, 3096.6, 3096.7, 3097, 3099, 3100, 3103, 3124, 3128, 3129, 3130, 3131, and 3135 of, to add Sections 3091, 3092, and 3110 to, to repeal Sections 3094, 3095, 3101, 3102, 3104, 3105, 3105.1, 3106, 3107, 3107.1, 3108, 3109, 3120, 3123, 3125, 3126, and 3127 of, and to repeal and add Section 3090 of, the Business and Professions Code, relating to optometry, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 861—An act to amend Section 480 of the Business and Professions Code, relating to professions and vocations.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1541—An act to amend Section 654.1 of the Business and Professions Code, relating to healing arts.

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 Utilities and Commerce

April 18, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 1082

Assembly Bill No. 1383

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 1082—An act to add Article 11 (commencing with Section 905) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to telecommunications.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1383—An act to add and repeal Chapter 5.6 (commencing with Section 25460) of Division 15 of the Public Resources Code, relating to energy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Agriculture**

April 18, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 826

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 826—An act to add Article 3 (commencing with Section 9100) to Chapter 10 of Part 6 of the Education Code, and to add Chapter 5 (commencing with Section 43600) to Division 17 of the Food and Agricultural Code, relating to child nutrition.

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 Aging and Long-Term Care**

April 18, 2005

Mr. Speaker: The Chair of your Committee on Aging and Long-Term Care reports:
Assembly Bill No. 1258

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERG, Chair

ASSEMBLY BILL NO. 1258—An act relating to adult day health care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Banking and Finance**

April 18, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 459

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 459—An act to amend Section 10241 of the Business and Professions Code, and to amend Section 2963 of, and to add Section 1102.6c to, the Civil Code, relating to transfer of real property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Insurance**

April 18, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 1572

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1572—An act to amend Section 4903.05 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

April 18, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1548

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1548—An act to add Section 6024.5 to the Food and Agricultural Code, relating to field rodents.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

April 18, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 101
Assembly Bill No. 246
Assembly Bill No. 1686

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 101—An act to amend Section 244.5 of, and to add Chapter 4.5 (commencing with Section 12430) of Title 2 of Part 4 to, the Penal Code, relating to tasers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 246—An act to add Section 805.1 to the Penal Code, relating to the limitation of actions.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1686—An act to amend Section 834b of the Penal Code, relating to crimes.

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 Agriculture

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Agriculture reports:
Assembly Bill No. 649

With amendments with the recommendation: Amend, and do pass, as amended.

MATTHEWS, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 424

With the recommendation: Do pass.

JEROME E. HORTON, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, April 18, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 16

Senate Concurrent Resolution No. 23

Senate Concurrent Resolution No. 14

Senate Concurrent Resolution No. 35

GREGORY P. SCHMIDT, Secretary of the Senate

By David Valverde, Assistant Secretary

Senate Chamber, April 18, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 47

Senate Bill No. 282

Senate Bill No. 61

Senate Bill No. 557

Senate Bill No. 116

Senate Bill No. 575

Senate Bill No. 140

Senate Bill No. 821

Senate Bill No. 145

Senate Bill No. 859

Senate Bill No. 186

Senate Bill No. 911

Senate Bill No. 224

GREGORY P. SCHMIDT, Secretary of the Senate

By David Valverde, Assistant Secretary

Senate Chamber, April 18, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 7

Senate Concurrent Resolution No. 11

Senate Concurrent Resolution No. 8

Senate Concurrent Resolution No. 12

Senate Concurrent Resolution No. 10

GREGORY P. SCHMIDT, Secretary of the Senate

By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 47—An act to amend Section 1206 of the Health and Safety Code, relating to clinics.

SENATE BILL NO. 61—An act to add Section 1363.03 to the Civil Code, relating to common interest developments.

SENATE BILL NO. 116—An act to amend Section 1255.7 of the Health and Safety Code, to amend Section 271.5 of the Penal Code, and to amend Section 14005.24 of, and to amend and repeal Sections 300 and 361.5 of, the Welfare and Institutions Code, relating to abandonment of newborns.

SENATE BILL NO. 140—An act to amend Section 4216.4 of the Government Code, relating to subsurface installations.

SENATE BILL NO. 145—An act to amend Section 85316 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 186—An act to add Section 1363.01 to the Civil Code, relating to common interest developments.

SENATE BILL NO. 224—An act to amend Sections 129875.1 and 129885 of the Health and Safety Code, relating to health facilities.

SENATE BILL NO. 282—An act to amend Section 24011 of the Government Code, relating to county offices.

SENATE BILL NO. 557—An act to add Section 10062 of the Public Utilities Code, relating to municipal utilities.

SENATE BILL NO. 575—An act to amend Section 65589.5 of the Government Code, relating to local planning.

SENATE BILL NO. 821—An act to amend Section 41326 of the Education Code, relating to education finance.

SENATE BILL NO. 859—An act to amend Section 803 of, and to amend and renumber Section 821 and 822 of the Food and Agricultural Code, relating to agriculture.

SENATE BILL NO. 911—An act to amend Section 2892 of the Public Utilities Code, relating to telecommunications.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 7—Relative to Officer Stephan Gene Gray Memorial Highway.

SENATE CONCURRENT RESOLUTION NO. 8—Relative to the Pearl Harbor Memorial Highway.

SENATE CONCURRENT RESOLUTION NO. 10—Relative to Hansen Way.

SENATE CONCURRENT RESOLUTION NO. 11—Relative to Tinloy Street.

SENATE CONCURRENT RESOLUTION NO. 12—Relative to CHP Officer Artie J. Hubbard Memorial Freeway.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Levine, the Assembly adjourned until 7 a.m., Tuesday, April 19, 2005, out of respect to the memory of Rodolfo “Corky” Gonzales and Vanessa Beatriz Martinez, on motion of Assembly Member Coto; out of respect to the memory of David Atchison, on motion of Assembly Member Benoit; out of respect to the memory of Cpl. Garrywesley T. Rimes, on motion of Assembly Member Blakeslee; out of respect to the memory of Marla Ruzicka, on motion of Assembly Members Berg and Leno; out of respect to the memory of Norma Heitman and Bea Hirano, on motion of Assembly Member Chu; out of respect to the memory of Robert David Durben, on motion of Assembly Member Runner; and out of respect to the memory of Lois M. Fassler, William J. Fleshman, Joan E. Mallen, Earl Leander Wold, and Alfonso Joseph Zappocosta, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 18, 2005**

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
9	0511301	861	0511457
24	0511336	875	0511262
54	0511264	881	0511900
71	0511610	897	0511143
78	0511626	898	0511558
96	0511366	909	0511469
101	0511694	910	0511624
102	0511650	919	0511640
112	0511182	952	0511207
126	0511578	956	0511417
201	0511146	966	0511387
208	0511144	1064	0511921
224	0511460	1077	0511664
246	0511915	1078	0511721
300	0510309	1082	0511423
313	0511551	1087	0511415
361	0511727	1089	0511834
394	0511025	1093	0511889
399	0511201	1141	0511576
409	0511792	1145	0511500
444	0511211	1184	0511712
459	0511710	1201	0511563
488	0511505	1206	0511783
530	0511643	1212	0511154
565	0510684	1246	0511669
575	0511285	1258	0511409
591	0511638	1271	0511711
595	0511461	1306	0510503
611	0511496	1321	0511559
640	0511513	1378	0511914
648	0511842	1383	0511923
699	0510560	1387	0511753
709	0510409	1409	0511174
753	0511055	1421	0511738
761	0511582	1451	0511205
772	0511816	1508	0511402
779	0511630	1531	0511485
813	0511607	1541	0511600
826	0511932	1548	0512046
850	0511699	1550	0511229
852	0511546	1572	0511491

AB	RN	AB	RN
1590	0511756	1742	0511017
1593	0511522	1765	0510137
1597	0511580		
1601	0511627	AJR	RN
1609	0511129	13	0511149
1664	0511560	SJR	RN
1686	0511255	7	0511930
1690	0511507		

Daily Total: 94

Cumulative Total: 875

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, April 19, 2005

FIFTY-SIXTH SESSION DAY

ONE HUNDRED THIRTY-FIFTH 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
Tuesday, April 19, 2005

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aghazarian	DeVore	La Suer	Plescian
Arambula	Dymally	Laird	Richman
Baca	Emmerson	Leno	Ridley-Thomas
Bass	Frommer	Leslie	Runner
Benoit	Garcia	Levine	Ruskin
Berg	Goldberg	Lieber	Saldaña
Bermúdez	Hancock	Liu	Salinas
Blakeslee	Harman	Matthews	Spitzer
Bogh	Haynes	Maze	Strickland
Calderon	Horton, Jerome	McCarthy	Torrico
Canciamilla	Horton, Shirley	Montañez	Tran
Chan	Houston	Mountjoy	Umberg
Chavez	Huff	Mullin	Vargas
Chu	Jones	Nakanishi	Villines
Cogdill	Karnette	Nation	Walters
Cohn	Keene	Nava	Wolk
Coto	Klehns	Negrete McLeod	Yee
Daucher	Koretz	Niello	Mr. Speaker
De La Torre	La Malfa	Parra	

Quorum present.

At 12:09 p.m., Hon. Rick Keene, 3rd 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 Member Pavley.

On personal business, and waiving per diem: Assembly Member Wyland.

Because of illness: Assembly Members Evans, Gordon, and Oropeza.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

April 5, 2005

*The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to be excused from Session on Tuesday, April 19, through Thursday, April 21, 2005, so I may travel to New York to give a speech regarding my greenhouse gas bill, AB 1493.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

FRAN PAVLEY, Assembly Member
Forty-first District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 18, 2005

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Hector De La Torre to replace Assemblymember Mike Gordon on the Assembly Health Committee for the Tuesday, April 19 hearing.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 18, 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 Patty Berg to replace Assemblymember Noreen Evans on the Assembly Judiciary Committee for the Tuesday, April 19 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 19, 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 Dennis Mountjoy to replace Assemblymember Mark Wyland on the Assembly Elections and Redistricting Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

PROPOSED INITIATIVES

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated April 7, 2005 transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Legislative Vote Requirement for Taxes. Redefinition of Tax.
Initiative Constitutional Amendment. SA 2005RF0068**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Expansion of Constitutional Definition of a Person
to Include the Unborn, and Related Rights.
Initiative Constitutional Amendment. SA 2005RF0069**

Referred by the Speaker to the Committee on Judiciary.

REPORTS

The following reports were presented by the Chief Clerk:

**2003–04 Indian Gaming Special Distribution Fund Report
(Pursuant to Senate Bill 621, Chapter 858, Statutes of 2003) from:**

Tuolumne County, County Administrator's Office, Steve Boyack, Senior Administrative Analyst, dated March 24, 2005;

Butte County, Chief Administrative Office, Cris Navarro, County Compliance Officer, dated March 30, 2005;

Mendocino County, Administrative Office, Christine Odlozil, Office Administrator, dated March 30, 2005;

Fresno County, Administrative Office, Judith G. Case, Chairman, Fresno County Board of Supervisors, dated March 29, 2005;

Lake County, Administrative Office, Jennifer Hammond, Administrative Analyst II, dated March 29, 2005;

San Diego County, Chief Administrative Office, Chantal Saipe, Tribal Liaison, dated March 29, 2005;

Santa Barbara County, Office of the County Administrator, Michael F. Brown, County Executive Office, dated March 29, 2005;

Yolo County, Office of Tribal Affairs, John Clark, Deputy County Administrative Officer, dated March 29, 2005;

San Bernardino County, Board of Supervisors, Dennis Hansberger, Chairman, San Bernardino County Indian Gaming Local Community Benefit Committee, dated March 30, 2005;

Kings County, Office of County Administrator, Larry Spikes, County Administrative Officer, dated March 31, 2005;

Tulare County, Administrative Office, David P. Bryant, Deputy CAO-Program, dated March 31, 2005;

Kings County, Administrative Office, Mary Gallegos, Deputy Administrative Officer, corrected version, dated April 1, 2005;

Madera County, Administrative Management, Stell Manfredi, County Administrative Officer, dated April 5, 2005;

Humboldt County, Board of Supervisors, Jill Geist, 5th District Supervisor and Chair, HICIGLBC, dated April 6, 2005.

Referred by the Speaker to the Committee on Governmental Organization.

**2003–04 Emergency Medical Services (EMS) Report
(Pursuant to Health and Safety Code Section 1797.98) from:**

Stanislaus County, Health Services Agency, Martha Ruano, IHCP Program Analyst, dated March 25, 2005;

Nevada County, Human Services Agency, Cheri Kussavage, Accountant, dated March 25, 2005;

Alameda County, Health Care Services Agency, Ricardo E. Naval, Financial Services Specialist II, Public Health Department, Budgets and Contracts, dated March 31, 2005;

Sacramento County, Department of Health and Human Services, Aron Brewer, Sr., Accounting Manager, dated April 5, 2005;

San Bernardino County, Alma A. Sandoval, Healthcare Analyst, dated April 5, 2005;

Yolo County, Health Department, John Freeby, Staff Services Analyst, dated April 5, 2005;

Kern County, Ross Elliott, Director. Dated April 6, 2005;

Plumas County and Butte County, Dottie Alves, Project/Accounting Manager, dated April 7, 2005;

Contra Costa County, Health Services Department, George Washnak, Controller, dated April 11, 2005;

San Mateo, Health Department, Barbara Pletz, EMS Administrator, dated April 12, 2005;

Tulare County, Health and Human Services Agency, Susan Rothwell, Deputy Director, Managed Care, dated April 12, 2005;

Inyo County, Department of Health and Human Services, Diane Fortney, Account Tech III, dated April 13, 2005;

Napa County, Health and Human Services, Molly Rattigan, MPPA, Staff Services Analyst, dated April 13, 2005;

Orange County, Health Care Agency, Melissa J. Tober, Director, Office of Strategic Projects, dated April 13, 2005;

Tuolumne County, Office of County Clerk and Auditor-Controller, Tim R. Johnson, Auditor/Controller, dated April 13, 2005;

San Diego County, Health and Human Services Agency, Patricia Murrin, Coordinator, Emergency Medical Services, dated April 14, 2005.

Referred by the Speaker to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 19, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 9	Assembly Bill No. 611
Assembly Bill No. 71	Assembly Bill No. 640
Assembly Bill No. 78	Assembly Bill No. 699
Assembly Bill No. 112	Assembly Bill No. 761
Assembly Bill No. 126	Assembly Bill No. 772
Assembly Bill No. 201	Assembly Bill No. 779
Assembly Bill No. 208	Assembly Bill No. 875
Assembly Bill No. 300	Assembly Bill No. 897
Assembly Bill No. 313	Assembly Bill No. 909
Assembly Bill No. 394	Assembly Bill No. 919
Assembly Bill No. 444	Assembly Bill No. 956
Assembly Bill No. 530	Assembly Bill No. 966
Assembly Bill No. 595	Assembly Bill No. 1077

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 19, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1093	Assembly Bill No. 1409
Assembly Bill No. 1141	Assembly Bill No. 1451
Assembly Bill No. 1184	Assembly Bill No. 1508
Assembly Bill No. 1246	Assembly Bill No. 1590
Assembly Bill No. 1306	Assembly Bill No. 1597
Assembly Bill No. 1321	Assembly Bill No. 1609
Assembly Bill No. 1387	Assembly Bill No. 1664

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 19, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 591
 Assembly Bill No. 952
 Assembly Bill No. 709

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 19, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 53

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 19, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 13

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 19, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 24 | Assembly Bill No. 753 |
| Assembly Bill No. 54 | Assembly Bill No. 813 |
| Assembly Bill No. 96 | Assembly Bill No. 826 |
| Assembly Bill No. 101 | Assembly Bill No. 850 |
| Assembly Bill No. 102 | Assembly Bill No. 852 |
| Assembly Bill No. 224 | Assembly Bill No. 861 |
| Assembly Bill No. 246 | Assembly Bill No. 881 |
| Assembly Bill No. 361 | Assembly Bill No. 898 |
| Assembly Bill No. 399 | Assembly Bill No. 910 |
| Assembly Bill No. 409 | Assembly Bill No. 1064 |
| Assembly Bill No. 459 | Assembly Bill No. 1078 |
| Assembly Bill No. 488 | Assembly Bill No. 1082 |
| Assembly Bill No. 565 | Assembly Bill No. 1087 |
| Assembly Bill No. 575 | Assembly Bill No. 1089 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 19, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1145 | Assembly Bill No. 1541 |
| Assembly Bill No. 1201 | Assembly Bill No. 1548 |
| Assembly Bill No. 1206 | Assembly Bill No. 1550 |
| Assembly Bill No. 1212 | Assembly Bill No. 1572 |
| Assembly Bill No. 1258 | Assembly Bill No. 1593 |
| Assembly Bill No. 1271 | Assembly Bill No. 1601 |
| Assembly Bill No. 1378 | Assembly Bill No. 1686 |
| Assembly Bill No. 1383 | Assembly Bill No. 1690 |
| Assembly Bill No. 1421 | Assembly Bill No. 1742 |
| Assembly Bill No. 1531 | Assembly Bill No. 1765 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 55—Jerome Horton. Relative to the Day of the Teacher.

ASSEMBLY JOINT RESOLUTION NO. 22—Bass. Relative to school records.

AUTHOR'S AMENDMENTS

Committee on Governmental Organization

April 19, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 17

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 17—An act to add Section 516 to the Public Resources Code, relating to coastal 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 Public Safety

April 19, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
 Assembly Bill No. 331

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 331—An act to add Section 11034 to the Government Code, relating to state government travel.

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 Environmental Safety and Toxic Materials

April 19, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 319

Assembly Bill No. 597

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 319—An act to add Chapter 11 (commencing with Section 108935) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 597—An act to amend Section 25395.96 of the Health and Safety Code, and to amend Section 13328.14 of the Water Code, relating to response actions.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 19, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
 Assembly Bill No. 757

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 757—An act relating to health care.

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 Labor and Employment

April 19, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 1310

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 1310—An act relating to employment.

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

April 19, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 810

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 810—An act to add and repeal Sections 17053.62, 17255.5, 23662, and 24356.5 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 Revenue and Taxation

April 19, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1282

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1282—An act to amend Sections 7204.03 and 7205 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 Revenue and Taxation

April 19, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 37
Assembly Bill No. 548

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 37—An act 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.

ASSEMBLY BILL NO. 548—An act to add and repeal Section 6397 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 Arts, Entertainment, Sports, Tourism, and Internet Media

April 19, 2005

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 1437

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

ASSEMBLY BILL NO. 1437—An act to amend Section 14998.11 of the Government Code, relating to the Film Office.

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

April 19, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 675

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 675—An act to repeal Sections 38203.5 and 38907 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 Appropriations

April 19, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 165

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 165—An act to amend Section 89416 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.

**AUTHOR'S AMENDMENTS
Committee on Education**

April 19, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

- Assembly Bill No. 123
- Assembly Bill No. 726
- Assembly Bill No. 1053

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 123—An act to amend Section 41511 of the Education Code, relating to school safety, 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.

ASSEMBLY BILL NO. 726—An act to add Section 60642.7 to 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.

ASSEMBLY BILL NO. 1053—An act to add Section 17463.7 to the Education Code, relating to public schools.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Business and Professions**

April 19, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

- Assembly Bill No. 53
- Assembly Bill No. 75
- Assembly Bill No. 718
- Assembly Bill No. 1210
- Assembly Bill No. 1660

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 53—An act relating to state government.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 75—An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to prescription drugs, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 718—An act to amend Section 1798.90.1 of the Civil Code, relating to driver's licenses.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1210—An act relating to the Capitol Park.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1660—An act to add Article 1.5 (commencing with Section 44810) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

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

April 19, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1049

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 1049—An act to add Chapter 11 (commencing with Section 42570) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Veterans Affairs

April 19, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 1445

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 1445—An act to add Section 66025.7 to the Education Code, relating to student financial aid.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

April 19, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1139

Assembly Bill No. 1395

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 1139—An act to add Chapter 13.5 (commencing with Section 7130) to Division 7 of Title 1 of the Government 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.

ASSEMBLY BILL NO. 1395—An act relating to international relations.

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

April 19, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:
Senate Concurrent Resolution No. 33

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

SENATE CONCURRENT RESOLUTION NO. 33—Relative to California Fitness 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 Health

April 19, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 166

Assembly Bill No. 1533

Assembly Bill No. 497

Assembly Bill No. 1673

Assembly Bill No. 1359

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 166—An act to add Chapter 5.5 (commencing with Section 101855) to Part 4 of Division 101 of the Health and Safety Code, relating to health care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 497—An act to amend Section 4161 of the Business and Professions Code, relating to pharmacy 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.

ASSEMBLY BILL NO. 1359—An act to add Sections 1348.5 and 100186 to the Health and Safety Code, and to add Section 12939 to the Insurance Code, relating to health care coverage, 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.

ASSEMBLY BILL NO. 1533—An act to amend Sections 1357 and 1357.50 of the Health and Safety Code, and to amend Section 10198.6 of the Insurance Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1673—An act to amend Sections 130063.2 and 130065 of, and to repeal Sections 130060 and 130063 of, the Health and Safety Code, relating to seismic safety.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

April 19, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 311

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 311—An act relating to transportation, 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

April 19, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 1039

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 1039—An act to amend Section 5642 of the Public Resources Code, relating to parks and recreation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 19, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 1043

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1043—An act to amend Section 481.5 of, and to repeal Section 393 of, the Insurance Code, relating to insurance premiums.

Bill read second time; 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

April 19, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1384

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1384—An act to add Section 97 to, and to amend Section 97.1 of, the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Environmental Safety and Toxic Materials

April 19, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1681

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 1681—An act to add Article 10.2.2 (commencing with Section 25214.8.5) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to toxic substances.

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

April 19, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1705

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 1705—An act to amend Sections 4526, 4628, and 4590 of, and to add Article 7.75 (commencing with Section 4598) to Chapter 8 of Part 2 of Division 4 of, the Public Resources Code, relating to forestry.

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 Judiciary

April 19, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 816

Assembly Bill No. 1459

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 816—An act to amend Section 6276.12 of the Government Code, and to amend Section 147.2 of the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1459—An act to amend Section 116.220 of the Code of Civil Procedure, relating to small claims court.

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 Judiciary

April 19, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 634

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 634—An act to add Part 5 (commencing with Section 600) to Division 3 of the Family Code, relating to international marriage brokers.

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 Utilities and Commerce

April 19, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 1104

Assembly Bill No. 1348

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 1104—An act to add Article 6 (commencing with Section 8290) to Chapter 7 of Division 4 of the Public Utilities Code, relating to utility charges.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1348—An act to add Section 761 to the Public Utilities Code, relating to electricity.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Banking and Finance

April 19, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 310

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 310—An act to add Sections 1714.12 and 1714.13 to the Civil Code, and to amend Section 25500 of the Corporations Code, relating to investments.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Human Services

April 19, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 899

Assembly Bill No. 1565

Assembly Bill No. 1697

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 899—An act to add Section 12303.45 to the Welfare and Institutions Code, relating to public social services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1565—An act to add Article 16.3 (commencing with Section 8375) to Chapter 2 of Part 6 of the Education Code, relating to child care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1697—An act to add Section 1596.957 to the Health and Safety Code, relating to day care centers.

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

April 19, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1283

Assembly Bill No. 1477

Assembly Bill No. 1714

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1283—An act to add Section 93.5 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.

ASSEMBLY BILL NO. 1477—An act to amend Section 9105 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1714—An act to amend Sections 180.1, 180.7, 188.5, and 31010 of, to add Sections 31010.1, 31010.2, and 31074 to, and to repeal Sections 31015 and 31070 of, the Streets and Highways Code, relating to transportation, 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 Transportation

April 19, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1118

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1118—An act to add Chapter 5 (commencing with Section 10000) to Division 3.6 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 961

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CHU, Chair

Above bill ordered to second reading.

Committee on Banking and Finance

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 502

Assembly Bill No. 1687

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CALDERON, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 180

Assembly Bill No. 1419

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CALDERON, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 1729

With the recommendation: Do pass, and be re-referred to the Committee on Business and Professions with recommendation: To Consent Calendar.

CALDERON, Chair

Above bill re-referred to the Committee on Business and Professions.

Committee on Revenue and Taxation

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 377

Assembly Bill No. 1037

Assembly Bill No. 819

Assembly Bill No. 1717

Assembly Bill No. 964

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KLEHS, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1333

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Public Safety.

RUSKIN, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 289

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

RUSKIN, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1289

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 443

Assembly Bill No. 490

Assembly Bill No. 1270

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills ordered to second reading.

Committee on Natural Resources

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1328

Assembly Bill No. 1718

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1464

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.

HANCOCK, Chair

Above bill ordered to second reading.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 848

With the recommendation: Do pass, and be re-referred to the Committee on Water, Parks and Wildlife.

HANCOCK, Chair

Above bill re-referred to the Committee on Water, Parks and Wildlife.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1165

With the recommendation: Do pass, and be re-referred to the Committee on Utilities and Commerce.

HANCOCK, Chair

Above bill re-referred to the Committee on Utilities and Commerce.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1269

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials.

HANCOCK, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1272

Assembly Bill No. 1296

Assembly Bill No. 1763

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1578

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1361

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

ARAMBULA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1516

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

ARAMBULA, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Utilities and Commerce

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1585

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Natural Resources.

LEVINE, Chair

Above bill ordered to second reading.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 974

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LEVINE, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1576

Assembly Bill No. 1704

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LEVINE, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1332

Assembly Bill No. 1362

Assembly Bill No. 1547

With the recommendation: Do pass, and be re-referred to the Committee on Natural Resources.

LEVINE, Chair

Above bills re-referred to the Committee on Natural Resources.

Committee on Judiciary

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 667

Assembly Bill No. 1102

Assembly Bill No. 930

Assembly Bill No. 1412

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 341

Assembly Bill No. 1495

With the recommendation: Do pass.

JONES, Chair

Above bills ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 17

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.

JONES, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1130

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.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 878

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bill ordered to second reading.

Committee on Aging and Long-Term Care

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 847

With the recommendation: Do pass, and be re-referred to the Committee on Health.

BERG, Chair

Above bill re-referred to the Committee on Health.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 179

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

BERG, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 820

With amendments with the recommendation: Do pass as amended, and be re-referred to the Committee on Water, Parks and Wildlife with the recommendation: To Consent Calendar.

JONES, Chair

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1331

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 410

With the recommendation: Do pass, and be re-referred to the Committee on Veterans Affairs.

ARAMBULA, Chair

Above bill re-referred to the Committee on Veterans Affairs.

Committee on Transportation

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 16

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 637

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 979

Assembly Bill No. 1067

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety.

OROPEZA, Chair

Above bills re-referred to the Committee on Public Safety.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 267

Assembly Bill No. 461

Assembly Bill No. 462

Assembly Bill No. 888

Assembly Bill No. 1052

Assembly Bill No. 1157

Assembly Bill No. 1281

Assembly Bill No. 1474

Assembly Bill No. 1504

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: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 426

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 228

Assembly Bill No. 624

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1497

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

ARAMBULA, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 316

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary with recommendation: To Consent Calendar.

NEGRETE McLEOD, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 1386

With the recommendation: Do pass, and be re-referred to the Committee on Health with recommendation: To Consent Calendar.

NEGRETE McLEOD, Chair

Above bill re-referred to the Committee on Health.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 920

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 301

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.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 532

With amendments with the recommendation: Amend, and do pass, as amended.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 475

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

ARAMBULA, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 737

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 709, ordered to third reading;

Assembly Bills Nos. 952 and 591, ordered to the Consent Calendar.

(NOTE: Later this day Assembly Bill No. 952 was re-referred to the Committee on Appropriations.)

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 977—An act to add Section 1375 to the Health and Safety Code, and to add Section 10191.5 to the Insurance Code, relating to health care coverage.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 527—An act to amend Section 10089.7 of the Insurance Code, relating to earthquake insurance.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 95—An act to add Division 112 (commencing with Section 140000) to the Health and Safety Code, relating to prescription drugs.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1725—An act to amend Section 15819.60 of the Government Code, relating to veterans.

Bill read second time; amendments proposed by the Committee on Veterans Affairs read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1435—An act to amend Section 76100 of the Government Code, relating to courts.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 30—An act to amend Sections 20069, 20303, 20305, 20822, 20894, 20896, 21023, 21024, 21027, 21029, 21117, and 31649 of, and to add Sections 20326, 20772.5, 20823, 20935, 20992, and 21029.5 to, the Government Code, and to amend Sections 215, 228, and 256 of the Military and Veterans Code, relating to public employees' retirement, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted; bill ordered reprinted and to be re-referred to the Committee on Veterans Affairs.

ASSEMBLY CONCURRENT RESOLUTION NO. 20—Relative to CHP Officer Merle L. Andrews Memorial Interchange.

Resolution read; amendments proposed by the Committee on Appropriations read and adopted; resolution ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 694—An act to amend Section 44241 of the Health and Safety Code, relating to air resources.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 249—An act to amend Section 19582.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1487—An act to add and repeal Section 5090.33 to the Public Resources Code, relating to off-highway motor vehicle recreation, 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.

ASSEMBLY BILL NO. 338—An act to add Section 42703 to the Public Resources Code, relating to recycling.

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.

ASSEMBLY BILL NO. 1001—An act to add Section 42703 to the Public Resources Code, relating to recycling.

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.

ASSEMBLY BILL NO. 100—An act to amend Section 977.2 of the Penal Code, relating to crimes.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1132—An act to amend Section 3074 of the Civil Code, and to amend Sections 14602.6 and 22851.12 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 371—An act to amend Section 5415 of the Health and Safety Code, and to amend Sections 13260, 13521, and 13523 of, and to add Sections 13552.1, 13552.5, 13555.5, and 13557 to, the Water Code, relating to water.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Water, Parks and Wildlife.

ASSEMBLY BILL NO. 290—An act to amend Section 116546 of the Health and Safety Code, relating to public water systems.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1081—An act to amend Sections 110050, 110466, 110485, 111130, 111825, and 111855 of, and to add Section 110471 to, the Health and Safety Code, relating to public health.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 654—An act to add Chapter 3.95 (commencing with Section 7195) to Part 1 of Division 7 of the Health and Safety Code, relating to death.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 515—An act to add Section 139 to the Water Code, relating to the State Water Project.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Water, Parks and Wildlife.

ASSEMBLY BILL NO. 746—An act to add Section 755 to the Public Utilities Code, relating to public utilities.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 649—An act to amend Section 78700 of the Food and Agricultural Code, relating to agriculture.

Bill read second time; amendments proposed by the Committee on Agriculture read and adopted; bill ordered reprinted and to be returned to the second reading file.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 424—An act to add Section 6720 to the Government Code, relating to Armenia.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bill was ordered re-referred to the Committee on Appropriations:

Assembly Bill No. 952.

ADJOURNMENT

At 3:40 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 20, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 19, 2005

—————

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
17	0511852	726	0511431
30	0511141	746	0511648
37	0510538	757	0511701
53	0510871	810	0510694
75	0511863	816	0511943
95	0511654	899	0512004
100	0511717	977	0511708
123	0510657	1001	0511531
165	0511517	1039	0512019
166	0511939	1043	0511695
249	0511138	1049	0512040
290	0511815	1053	0511726
310	0511950	1081	0511788
311	0511456	1104	0511953
319	0511667	1118	0512096
331	0511826	1132	0511534
338	0511528	1139	0511931
371	0511749	1210	0511442
497	0512035	1282	0510952
515	0511585	1283	0511515
527	0511112	1310	0509281
548	0511449	1348	0511952
597	0510785	1359	0512027
634	0512062	1384	0511697
649	0511813	1395	0511488
654	0511910	1435	0511843
675	0511982	1437	0511290
694	0511685	1445	0511967
718	0511782	1459	0511888

AB	RN	AB	RN
1477	0511556	1714	0511913
1487	0511544	1725	0511822
1533	0511879		
1565	0511920	ACR	RN
1660	0511799	20	0511668
1673	0511408		
1681	0511994	SCR	RN
1697	0510750	33	0511963
1705	0512072		
		Daily Total:	71
		Cumulative Total:	946

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 20, 2005

FIFTY-SEVENTH SESSION DAY

ONE HUNDRED THIRTY-SIXTH 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
Wednesday, April 20, 2005

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aghazarian	DeVore	La Malfa	Richman
Arambula	Dymally	La Suer	Ridley-Thomas
Baca	Emmerson	Laird	Runner
Bass	Evans	Leno	Ruskin
Benoit	Frommer	Leslie	Saldaña
Berg	Garcia	Lieber	Salinas
Bermúdez	Goldberg	Liu	Spitzer
Blakeslee	Hancock	Matthews	Strickland
Bogh	Harman	Maze	Torrico
Calderon	Haynes	McCarthy	Tran
Canciamilla	Horton, Jerome	Montañez	Umberg
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Villines
Chu	Huff	Nakanishi	Walters
Cogdill	Jones	Nava	Wolk
Cohn	Karnette	Negrete McLeod	Wyland
Coto	Keene	Niello	Yee
Daucher	Klehs	Parra	Mr. Speaker
De La Torre	Koretz	Plescia	

Quorum present.

At 11:30 a.m., Hon. Jerome E. Horton, 51st 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 Levine, Nation, and Pavley.

Because of illness: Assembly Members Gordon and Oropeza.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 7, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request that I be excused from Check-in Session on Wednesday, April 20, 2005, for legislative business. I will be participating in the Public Agency Collaboration on Energy Efficiency Workshop in the City of Industry.

Thank you for your consideration of my request. Should you have any questions please contact my office.

Sincerely,

LLOYD E. LEVINE, Assembly Member
Fortieth District

April 15, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Check-in Session on Wednesday, April 20, 2005, and Floor Session on Thursday, April 21, 2005 due to legislative business. At the request of Global Green USA, I have been requested to join them as part of a delegation to travel to Iqualuit, Alaska, in order to see the impact of global warming to the Inuit people.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

(NOTE: For letter explaining the absence of Assembly Member Pavley on this day on legislative business pursuant to the Assembly Rules, see the Assembly Daily Journal for April 19, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 19, 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 Cindy Montañez to replace Assemblymember Joe Nation on the Assembly Appropriations Committee for the April 20 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 19, 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 Gene Mullin to replace Assemblymember Mike Gordon on the Assembly Appropriations Committee for the April 20 and April 27 hearings.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 19, 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 Wilma Chan to replace Assemblymember Fran Pavley on the Assembly Education Committee for the April 20 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 19, 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 Juan Vargas to replace Assemblymember Joe Nation on the Assembly Local Government Committee for the Wednesday, April 20 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 19, 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 Ira Ruskin to replace Assemblymember Noreen Evans on the Budget Subcommittee No. 3 on Resources for the Wednesday, April 20 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 19, 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 Laird to replace Assemblymember Fran Pavley on the Budget Subcommittee No. 3 on Resources for the Wednesday, April 20 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 20, 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 Hector De La Torre to replace Assemblymember Jenny Oropeza on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 20, 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 removed Assemblymember Jerome Horton from the Assembly Environmental Safety and Toxic Materials Committee, creating a Democratic vacancy on the committee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 20, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Dave Jones to replace Assemblymember Sally Lieber on the Assembly Local Government Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 20, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 17

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 20, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 100

Assembly Bill No. 249

Assembly Bill No. 649

Assembly Bill No. 694

And reports the same correctly engrossed.

Assembly Bill No. 746

Assembly Bill No. 1132

Assembly Bill No. 1435

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 20, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 20

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, April 20, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 17

Assembly Bill No. 30

Assembly Bill No. 37

Assembly Bill No. 53

Assembly Bill No. 75

Assembly Bill No. 95

Assembly Bill No. 123

Assembly Bill No. 165

Assembly Bill No. 166

Assembly Bill No. 290

Assembly Bill No. 310

Assembly Bill No. 311

Assembly Bill No. 319

Assembly Bill No. 331

And reports the same correctly engrossed.

Assembly Bill No. 338

Assembly Bill No. 371

Assembly Bill No. 497

Assembly Bill No. 515

Assembly Bill No. 527

Assembly Bill No. 548

Assembly Bill No. 597

Assembly Bill No. 634

Assembly Bill No. 654

Assembly Bill No. 675

Assembly Bill No. 718

Assembly Bill No. 726

Assembly Bill No. 757

Assembly Bill No. 810

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 20, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 816 | Assembly Bill No. 1283 |
| Assembly Bill No. 899 | Assembly Bill No. 1310 |
| Assembly Bill No. 977 | Assembly Bill No. 1348 |
| Assembly Bill No. 1001 | Assembly Bill No. 1359 |
| Assembly Bill No. 1039 | Assembly Bill No. 1384 |
| Assembly Bill No. 1043 | Assembly Bill No. 1395 |
| Assembly Bill No. 1049 | Assembly Bill No. 1437 |
| Assembly Bill No. 1053 | Assembly Bill No. 1445 |
| Assembly Bill No. 1081 | Assembly Bill No. 1459 |
| Assembly Bill No. 1104 | Assembly Bill No. 1477 |
| Assembly Bill No. 1118 | Assembly Bill No. 1487 |
| Assembly Bill No. 1139 | Assembly Bill No. 1533 |
| Assembly Bill No. 1210 | Assembly Bill No. 1565 |
| Assembly Bill No. 1282 | Assembly Bill No. 1660 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 20, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1673 | Assembly Bill No. 1705 |
| Assembly Bill No. 1681 | Assembly Bill No. 1714 |
| Assembly Bill No. 1697 | Assembly Bill No. 1725 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 11—Coto. Relative to Cinco de Mayo Week.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Elections and Redistricting, on Monday, April 25, 2005, at 1 p.m., or upon adjournment of Floor Session;

Public Employees, Retirement and Social Security, on Monday, April 25, 2005, upon adjournment of Floor Session, in the Tom Bane Rules Committee Room;

Select Committee on Hate Crimes, on Wednesday, April 28, 2005, at 12:30 p.m.;

Transportation, to convene jointly with the Senate Committee on Transportation and Housing, Assembly Select Committee on Ports, and the Senate Subcommittee on Ports and Goods Movement, on Wednesday, May 4, 2005, in Room 4202.

AUTHOR'S AMENDMENTS

Committee on Education

April 20, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

- Assembly Bill No. 723
- Assembly Bill No. 1358

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 723—An act to add Section 51231 to the Education Code, relating to public school curriculum.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1358—An act to amend Section 17215 of the Education Code, relating to school facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Natural Resources

April 20, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 993

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 993—An act to add Section 25303.5 to the Public Resources Code, relating to energy 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 Banking and Finance

April 20, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 901

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 901—An act to amend Section 4970 of the Financial Code, relating to loans.

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 Environmental Safety and Toxic Materials

April 20, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1360

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 1360—An act to add Section 25355.1 to the Health and Safety Code, relating to hazardous substances.

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 Elections and Redistricting

April 20, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 1096

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 1096—An act to amend Section 3017 of the Elections Code, relating to ballots.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Housing and Community Development

April 20, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 1461

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 1461—An act to amend Sections 50825, 50826, 50827, 50828, 50831, 50832, and 50833 of the Health and Safety Code, relating to community development.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Natural Resources

April 20, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 1356

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 1356—An act to amend Sections 4143 and 4144 of, and to add Section 4144.2 to, the Public Resources Code, relating to forestry and fire protection.

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 Environmental Safety and Toxic Materials

April 20, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1240

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 1240—An act to amend Section 25214.8 of the Health and Safety Code, relating to hazardous 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 Governmental Organization

April 20, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 1559

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1559—An act to add Chapter 7.2 (commencing with Section 8669) to Division 1 of Title 2 of the Government Code, relating to financing a statewide communications interoperability development program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, 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 Governmental Organization

April 20, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 531

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 531—An act to amend Section 19423, and repeal Section 19424.5 of 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 Public Safety

April 20, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1080

Assembly Bill No. 1422

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1080—An act to add Section 1738.5 to the Welfare and Institutions Code, relating to the Youth Authority.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1422—An act to add Section 1418.95 to the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Judiciary

April 20, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 173
Assembly Bill No. 1035

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 173—An act to add Section 1714.4 to the Civil Code, relating to liability.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1035—An act to amend Sections 6254.21 of the Government Code, relating to public records.

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

April 20, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 206

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 206—An act to amend Section 5060 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

April 20, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 7
Assembly Bill No. 647

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 7—An act to add Section 13007 to the Fish and Game Code, relating to sport fishing, 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.

ASSEMBLY BILL NO. 647—An act to amend Section 2118 of the Fish and Game Code, and to amend Section 121790 of the Health and Safety Code, relating to wild animals.

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

April 20, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 911

Assembly Bill No. 1615

Assembly Bill No. 1612

Assembly Bill No. 1767

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 911—An act to amend Sections 5027 and 22255 of the Business and Professions Code, and to amend Sections 407, 441, 451, and 452 of, and to add Sections 7056.4, 7056.45, 17039.3, and 23036.3 to, 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.

ASSEMBLY BILL NO. 1612—An act to add Division 12.8 (commencing with Section 19000) to the Public Resources Code, relating to cigarettes.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1615—An act to add Section 15627 to, and to repeal Part 10 (commencing with Section 15700) of Division 3 of Title 2 of, the Government Code, and to add Section 20.5 to the Revenue and Taxation Code, relating to governmental organization.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1767—An act to amend Sections 18670, 19950, and 21018 of, and to add Section 19136.7 to, 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 Agriculture

April 20, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:

Assembly Bill No. 1587

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1587—An act to add Section 598e to the Penal Code, relating to crimes.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Housing and Community Development

April 20, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 396

Assembly Bill No. 1512

Assembly Bill No. 1472

Assembly Bill No. 1754

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 396—An act to amend Section 65863.7 of the Government Code, relating to land use.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1472—An act to amend Sections 33333.8 and 33333.10 of, and to add Section 33333.12 to, the Health and Safety Code, relating to redevelopment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1512—An act to amend Sections 50911, 50953, and 53533 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1754—An act to amend Section 51350 of the Health and Safety Code, relating to the California Housing Finance Agency.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Local Government

April 20, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 250

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 250—An act relating to counties, 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 Human Services

April 20, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 503
Assembly Bill No. 880
Assembly Bill No. 1633

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 503—An act to add Section 11216 to the Welfare and Institutions Code, relating to CalWORKs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 880—An act to amend Section 300.2 of, and to add Sections 361.31, 361.32, 361.33, and 361.34 to, the Welfare and Institutions Code, relating to dependent children.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1633—An act to amend Section 11403 of, and to add Chapter 6.2 (commencing with Section 13750) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to foster children, 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 Health

April 20, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 10	Assembly Bill No. 1062
Assembly Bill No. 117	Assembly Bill No. 1111
Assembly Bill No. 213	Assembly Bill No. 1579
Assembly Bill No. 1045	Assembly Bill No. 1674
Assembly Bill No. 1046	

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 10—An act relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 117—An act to add Section 14133.06 to the Welfare and Institutions 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.

ASSEMBLY BILL NO. 213—An act to add Section 1367.666 to the Health and Safety Code, and to add Section 10123.175 to the Insurance Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1045—An act to amend Sections 1339.56, 1339.57, and 1339.59 of, and to add Section 1339.585 to, the Health and Safety Code, relating to the Payers' Bill of Rights.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1046—An act to amend Section 128738 of, and to add Section 128767 to, the Health and Safety Code, relating to health data.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1062—An act to add Section 24172.5 to the Health and Safety Code, relating to public 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.

ASSEMBLY BILL NO. 1111—An act to add Article 3.12 (commencing with Section 1357.40) to Chapter 2.2 of Division 2 of the Health and Safety Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1579—An act to amend Section 1417.2 of the Health and Safety Code, relating to long-term health care facilities, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1674—An act to add Section 1342.2 to the Health and Safety Code, relating to managed health care.

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 Elections and Redistricting

April 20, 2005

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:
Assembly Bill No. 158

With author's amendments with the recommendation: Amend, and re-refer to the committee.

UMBERG, Chair

ASSEMBLY BILL NO. 158—An act to amend Section 2154 of the Elections Code, relating to voter registration.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

April 20, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 74

Assembly Bill No. 1641

Assembly Bill No. 293

Assembly Bill No. 1654

Assembly Bill No. 481

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 74—An act to add Article 5 (commencing with Section 110243) to Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 293—An act to amend Sections 7195 and 7197 of, and to add Sections 7196.2, 7197.5, and 7198.5 to, the Business and Professions Code, relating to home inspections.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 481—An act to amend Sections 7507.9 and 7507.12 of the Business and Professions Code, relating to collateral recovery.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1641—An act to amend Section 1794.41 of the Civil Code, relating to consumer warranties.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1654—An act to add Article 7 (commencing with Section 10390) to Chapter 2 of Part 2 of Division 2 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.

AUTHOR'S AMENDMENTS
Committee on Appropriations

April 20, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 169

Assembly Bill No. 223

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 169—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 223—An act to amend Section 10170.5 of the Business and Professions Code, relating to real estate.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Business and Professions

April 20, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 1263

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1263—An act to add Section 7350.1 to the Business and Professions Code, relating to barbering and cosmetology.

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 Judiciary

April 20, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 528
Assembly Bill No. 972

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 528—An act to add Section 3497 to the Civil Code, relating to public nuisances.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 972—An act to add Section 18713 to the Business and Professions Code, relating to athletic contests.

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

April 20, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 484
Assembly Bill No. 743

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 484—An act to amend Section 368 of the Penal Code, and to amend Section 15656 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 743—An act to amend Section 602 of the Welfare and Institutions Code, relating to minors.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 20, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 191
Assembly Bill No. 229

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 191—An act to amend Sections 1063, 1063.1, and 1063.5 of the Insurance Code, relating to insolvency.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 229—An act to amend Section 4616.3 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 20, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1199

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 1199—An act to amend Section 1374.67 of the Health and Safety Code, relating to health care service plans.

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 Business and Professions

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 47	Assembly Bill No. 1143
Assembly Bill No. 354	Assembly Bill No. 1195
Assembly Bill No. 446	Assembly Bill No. 1351
Assembly Bill No. 566	Assembly Bill No. 1617
Assembly Bill No. 594	Assembly Bill No. 1663
Assembly Bill No. 775	

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 193
Assembly Bill No. 534

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Higher Education

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 23	Assembly Bill No. 1088
Assembly Bill No. 162	Assembly Bill No. 1254
Assembly Bill No. 196	Assembly Bill No. 1366
Assembly Bill No. 700	Assembly Bill No. 1402
Assembly Bill No. 720	Assembly Bill No. 1425
Assembly Bill No. 786	Assembly Bill No. 1480
Assembly Bill No. 870	Assembly Bill No. 1604
Assembly Bill No. 967	Assembly Bill No. 1646

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Higher Education reports:
Assembly Bill No. 827

With the recommendation: Do pass, and be re-referred to the Committee on Business and Professions.

LIU, Chair

Above bill re-referred to the Committee on Business and Professions.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 1349

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety.

CHAN, Chair

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 1676

With the recommendation: Do pass, and be re-referred to the Committee on Transportation.

CHAN, Chair

Above bill re-referred to the Committee on Transportation.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 493
Assembly Bill No. 595
Assembly Bill No. 909

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 657

Assembly Bill No. 761

Assembly Bill No. 1144

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1278

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary with recommendation: To Consent Calendar.

CHAN, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Appropriations

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 324

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CHU, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 622

With the recommendation: Do pass, and be re-referred to the Committee on Education.

CHAN, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 576

Assembly Bill No. 598

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

CHAN, Chair

Above bills re-referred to the Committee on Judiciary.

Committee on Education

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 416

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Judiciary.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 777

Assembly Bill No. 1194

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAVEZ, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 381

Assembly Bill No. 972

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

CHAVEZ, Chair

Above bills re-referred to the Committee on Judiciary.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 252

With the recommendation: Do pass.

CHAVEZ, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 893

Assembly Bill No. 900

Assembly Bill No. 994

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 554

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 59

Assembly Bill No. 545

Assembly Bill No. 940

Assembly Bill No. 999

Assembly Bill No. 1060

Assembly Bill No. 1153

Assembly Bill No. 1288

Assembly Bill No. 1677

Assembly Bill No. 1768

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1390

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Housing and Community Development.

JONES, Chair

Above bill ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 277

Assembly Bill No. 1166

Assembly Bill No. 705

Assembly Bill No. 1523

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

TORRICO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 256

Assembly Bill No. 902

Assembly Bill No. 477

Assembly Bill No. 1044

Assembly Bill No. 587

Assembly Bill No. 1206

Assembly Bill No. 706

Assembly Bill No. 1510

Assembly Bill No. 747

Assembly Bill No. 1526

Assembly Bill No. 804

Assembly Bill No. 1643

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

TORRICO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: April 11, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 877

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Committee on Elections and Redistricting

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 938

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 1054

Assembly Bill No. 1755

Assembly Bill No. 1636

Assembly Bill No. 1759

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

UMBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Agriculture

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 1011

Assembly Bill No. 1730

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials.

MATTHEWS, Chair

Above bills re-referred to the Committee on Environmental Safety and Toxic Materials.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 826

With the recommendation: Do pass, and be re-referred to the Committee on Education.

MATTHEWS, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 1065

With amendments with the recommendation: Do pass as amended, and be re-referred to the Committee on Rules with the recommendation: To Consent Calendar.

MATTHEWS, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 662

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: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 378

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1027

With the recommendation: Do pass, and be re-referred to the Committee on Revenue and Taxation.

VARGAS, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Committee on Elections and Redistricting

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 1757

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

UMBERG, Chair

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1122

Assembly Bill No. 1734

With the recommendation: Do pass.

VARGAS, Chair

Above bills ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 817

Assembly Bill No. 935

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 737

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 450

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media.

JONES, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1435, 694, 249, 100, 1132, 746, and 649, ordered to third reading.

(NOTE: Later this day Assembly Bill No. 1435 was re-referred to the Committee on Appropriations.)

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 961—An act to amend Sections 69980, 69981, 69982, 69983, 69984, 69986, 69989, 69990, 69992, 69993, and 89903 of, and to add Section 94103 to, the Education Code, to amend Section 10708 of, and to add Section 10708.5 to, the Public Contract Code, and to amend Section 1 of Chapter 402 of the Statutes of 2001, relating to postsecondary education, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1333—An act to add Section 374.5 to the Penal Code, relating to grease waste haulers.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Public Safety.

ASSEMBLY BILL NO. 289—An act to add Section 57013 to the Health and Safety Code, relating to hazardous chemicals.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1289—An act to amend Section 830.38 of the Penal Code, relating to peace officers.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 443—An act to amend Section 48931 of the Education Code, relating to pupils.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 490—An act to amend Section 20112 of the Public Contract Code, relating to public contracts.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1270—An act to add Section 17074.22 to the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1464—An act to amend Section 21091 of the Public Resources Code, relating to environmental quality.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1578—An act to add Section 41858 to the Education Code, relating to school transportation.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1585—An act to amend Sections 25740, 25746, 25747, and 25750 of, to add Section 25752 to, and to repeal Section 25749 of, the Public Resources Code, to amend Sections 385, 387, 399.6, 399.12, 399.13, 399.14, and 399.15 of, and to add Section 399.17 to, the Public Utilities Code, relating to renewable energy resources, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Natural Resources.

ASSEMBLY BILL NO. 341—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3260 and 3260.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1495—An act to amend Section 415.46 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1130—An act to amend Section 4519.7 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 878—An act to amend Section 2225 of the Civil Code, relating to felonies, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 179—An act to amend Section 1569.885 of, and to add Section 1569.889 to, the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time; amendments proposed by the Committee on Aging and Long-Term Care read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 820—An act to amend Sections 2150, 2150.1, 2150.4, and 2150.5 of, to add Sections 2157, 2193, 2194, and 2195 to, and to repeal Section 2125 of, the Fish and Game Code, relating to captive wild animals.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Water, Parks and Wildlife.

ASSEMBLY BILL NO. 1331—An act to amend Sections 4663 and 4664 of the Labor Code, relating to workers' compensation.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 426—An act to add Section 21655.1 to the Vehicle Code, relating to transportation.

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.

ASSEMBLY BILL NO. 228—An act to add Section 1374.17 to the Health and Safety Code, and to add Section 10123.21 to the Insurance Code, relating to health care coverage.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 624—An act to amend Section 12693.41 of, and to add Section 12693.701 to, the Insurance Code, and to amend Sections 14011.7 and 14011.8 of, and to add Section 14005.42 to, the Welfare and Institutions Code, relating to child health.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1497—An act to add Section 7073.5 to the Government Code, relating to economic development.

Bill read second time; amendments proposed by the Committee on Jobs, Economic Development and the Economy read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 920—An act to repeal Article 7.7 (commencing with Section 2154) of Chapter 5 of Division 2 of the Business and Professions Code, and to amend Sections 128335 and 128345 of, and to add Article 5 (commencing with Section 128550) to Chapter 5 of Part 3 of Division 107 of, the Health and Safety Code, relating to health professions education, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 301—An act to amend Section 11011.15 of the Government Code, relating to state property.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 532—An act to add Section 20118.2 to the Public Contract Code, relating to public contracts.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be returned to the second reading file.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bill was ordered re-referred to the Committee on Appropriations:

Assembly Bill No. 1435.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 20, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1495

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 20, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 301

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

ADJOURNMENT

At 4 p.m., the Assembly adjourned until 9:30 a.m., Thursday,
April 21, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 20, 2005**

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
7	0511597	901	0511649
10	0512295	911	0512070
74	0511304	920	0511454
117	0512022	961	0511676
158	0511689	972	0512172
169	0512130	993	0512014
173	0511244	1035	0512061
179	0511516	1045	0512029
191	0511696	1046	0512023
206	0512211	1062	0512204
213	0512136	1080	0511987
223	0512162	1096	0510645
228	0511723	1111	0512199
229	0511618	1199	0512226
250	0512047	1240	0511954
289	0512051	1263	0512287
293	0512050	1270	0511839
396	0512084	1289	0511719
426	0511877	1331	0511690
443	0511840	1333	0511702
481	0511759	1356	0511895
484	0510975	1358	0512152
490	0511798	1360	0512054
503	0511772	1422	0511771
528	0512149	1461	0512082
531	0511375	1472	0512093
532	0511925	1497	0512058
624	0512151	1512	0512288
647	0511849	1559	0511019
723	0511972	1578	0511836
743	0511499	1579	0511776
820	0511870	1585	0511796
878	0511691	1587	0512150
880	0511962	1612	0512106

AB	RN	AB	RN
1615	0512081	1674	0510282
1633	0512135	1754	0512178
1641	0511391	1767	0512237
1654	0512119		

Daily Total: 75

Cumulative Total: 1021

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 21, 2005

FIFTY-EIGHTH SESSION DAY

ONE HUNDRED THIRTY-SEVENTH 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
Thursday, April 21, 2005

The Assembly met at 9:38 a.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.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:41 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—75:

Aghazarian	Dymally	La Suer	Richman
Arambula	Emmerson	Laird	Ridley-Thomas
Baca	Evans	Leno	Runner
Benoit	Frommer	Leslie	Ruskin
Berg	Garcia	Levine	Saldaña
Bermúdez	Goldberg	Lieber	Salinas
Blakeslee	Hancock	Liu	Spitzer
Bogh	Harman	Matthews	Strickland
Calderon	Haynes	Maze	Torricon
Canciamilla	Horton, Jerome	McCarthy	Tran
Chan	Horton, Shirley	Montañez	Umberg
Chavez	Houston	Mountjoy	Vargas
Chu	Huff	Mullin	Villines
Cogdill	Jones	Nakanishi	Walters
Cohn	Karnette	Nava	Wolk
Coto	Keene	Negrete McLeod	Wyland
Daucher	Klehs	Niello	Yee
De La Torre	Koretz	Parra	Mr. Speaker
DeVore	La Malfa	Plescia	

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG DEFERRED

Without objection, Speaker pro Tempore Yee deferred the prayer and
the pledge of allegiance to the Flag until later in today's session.

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 Ridley-Thomas, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Nation and Pavley.

On personal business, and waiving per diem: Assembly Member Bass.

Because of illness: Assembly Members Gordon and Oropeza.

(NOTE: For letter explaining the absence of Assembly Member Pavley on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 19, 2005; for letter explaining the absence of Assembly Member Nation on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 20, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 21, 2005

*Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Pedro Nava
to Milton Marks "Little Hoover" Commission on
California State Government Organization and Economy

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Pedro Nava to the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy for the April 28, 2005 meeting only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 21, 2005

*Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Audra Strickland
to Milton Marks "Little Hoover" Commission on
California State Government Organization and Economy

Dear Mr. Wilson: Please be advised I have appointed
Assemblymember Audra Strickland to the Milton Marks "Little
Hoover" Commission on California State Government Organization
and Economy for the April 28, 2005 meeting only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to
committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
344	Rev. & Tax.
561	Pub. S.
632	Pub. S.
671	Rev. & Tax.
829	Ed.
862	Pub. S.
973	Ed.
996	Pub. S.
1092	Ed.
1219	Ed.
1398	Rev. & Tax.
1454	Ins.
1486	Ins.
1583	H. & C.D.
1624	Trans. and Higher Ed.
1632	U. & C.
1645	Hum. S.
1678	Nat. Res.
1699	Trans.
1728	Trans.
1749	Rev. & Tax. and G.O.

Assembly Constitutional

<i>Amendment No.</i>	<i>Committee</i>
9	Trans. and Appr.
11	Trans.
12	Budget
13	L. Gov. and Appr.
14	Rev. & Tax.
15	G.O.
16	L. Gov. and Appr.
17	E. & R.
18	E. & R. and Appr.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
54 -----	Health
55 -----	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
19 -----	E. & R.
20 -----	L. & E.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 21, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 532

Assembly Bill No. 961

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 21, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 7

Assembly Bill No. 10

Assembly Bill No. 74

Assembly Bill No. 117

Assembly Bill No. 158

Assembly Bill No. 169

Assembly Bill No. 173

Assembly Bill No. 179

Assembly Bill No. 191

Assembly Bill No. 206

Assembly Bill No. 213

Assembly Bill No. 223

Assembly Bill No. 228

Assembly Bill No. 229

Assembly Bill No. 250

Assembly Bill No. 289

Assembly Bill No. 293

Assembly Bill No. 396

Assembly Bill No. 426

Assembly Bill No. 443

Assembly Bill No. 481

Assembly Bill No. 484

Assembly Bill No. 490

Assembly Bill No. 503

Assembly Bill No. 528

Assembly Bill No. 531

Assembly Bill No. 624

Assembly Bill No. 647

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 21, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 723

Assembly Bill No. 743

Assembly Bill No. 820

Assembly Bill No. 878

Assembly Bill No. 880

Assembly Bill No. 901

Assembly Bill No. 911

Assembly Bill No. 920

Assembly Bill No. 972

Assembly Bill No. 993

Assembly Bill No. 1035

Assembly Bill No. 1045

Assembly Bill No. 1046

Assembly Bill No. 1062

Assembly Bill No. 1080

Assembly Bill No. 1096

Assembly Bill No. 1111

Assembly Bill No. 1199

Assembly Bill No. 1240

Assembly Bill No. 1263

Assembly Bill No. 1270

Assembly Bill No. 1289

Assembly Bill No. 1331

Assembly Bill No. 1333

Assembly Bill No. 1356

Assembly Bill No. 1358

Assembly Bill No. 1360

Assembly Bill No. 1422

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 21, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1461
 Assembly Bill No. 1472
 Assembly Bill No. 1497
 Assembly Bill No. 1512
 Assembly Bill No. 1559
 Assembly Bill No. 1578
 Assembly Bill No. 1579
 Assembly Bill No. 1585
 Assembly Bill No. 1587

Assembly Bill No. 1612
 Assembly Bill No. 1615
 Assembly Bill No. 1633
 Assembly Bill No. 1641
 Assembly Bill No. 1654
 Assembly Bill No. 1674
 Assembly Bill No. 1754
 Assembly Bill No. 1767

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1536, on request of Assembly Member Frommer on behalf of Assembly Member Bass.

BILLS REMOVED FROM CONSENT CALENDAR

The following bills were removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Bills Nos. 322 and 1188, on request of Assembly Member Plescia.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 17 from the Committee on Governmental Organization to the Committee on Natural Resources;

Assembly Bill No. 102 from the Committee on Judiciary to the Committee on Public Safety;

Assembly Bill No. 345 from the Committee on Local Government to the Committee on Business and Professions;

Assembly Bill No. 497 from the Committee on Health to the Committee on Business and Professions;

Assembly Bill No. 816 from the Committee on Judiciary to the Committee on Appropriations;

Assembly Bill No. 966 from the Committee on Health to the Committee on Environmental Safety and Toxic Materials;

Assembly Bill No. 1626 from the Committee on Labor and Employment to the Committee on Judiciary.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 208, be withdrawn from the Committee on Appropriations and placed on the second reading file.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 698 be referred from the third reading file to the Committee on Appropriations.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Revenue and Taxation to hear Assembly Bills Nos. 671 and 1749 on Monday, April 25, 2005;

Committee on Transportation to hear Assembly Bills Nos. 1699 and 1728 on Monday, April 25, 2005.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Aging and Long-Term Care, on Wednesday, April 27, 2005, at 1 p.m.; Arts, Entertainment, Sports, Tourism, and Internet Media, on Thursday, April 28, 2005, upon adjournment of Floor Session;

Business and Professions, on Thursday, April 28, 2005, upon adjournment of Floor Session.

REQUEST FOR PHOTOGRAPHER

Assembly Members Frommer and Aghazarian were granted unanimous consent that a photographer be permitted on the Floor of the Assembly and in the gallery.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Members Frommer and Aghazarian were granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests at the rostrum in the Assembly Chamber.

RECESS

By unanimous consent, at 9:48 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Speaker pro Tempore Yee introduced a delegation from the Hungarian National Assembly: The Honorable Dr. Gábor Világosi, Deputy Speaker of the Hungarian National Assembly, Mrs. Klara Világosi, Wife of the Deputy Speaker, Dr. Géza Raffay, Deputy Secretary of State and Vice Chair of the Foreign Affairs Committee of the National Assembly, and H. E. Ferenc Bösenbacher, Ambassador/Consul General, Hungarian Consulate in Los Angeles.

* * *

Assembly Member Wolk introduced students from the Junior and Senior High School Civics classes from Woodland Christian High School.

* * *

Assembly Member La Suer introduced and then presented a resolution to Marshall Wollitz in recognition of receiving the School Safety Patrol Colonel Award from the El Cajon California Highway Patrol Office.

RECONVENED

At 9:55 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Guest Chaplains Archbishop Hovnan Derderian and Archbishop Moushegh Mardirossian:

Oh Lord, Gathered here today in the State Capitol are individuals elected by their peers to serve the people of California. By God's will may they have the strength and fortitude to be good stewards of the land and people that they have been entrusted with.

This legislature is a fellowship of those who are entrusted with the god-given mission to serve humanity, to bring justice to people's lives with a vision of respect for history.

We offer our prayers to the Almighty in remembrance of the victims of the first genocide of the 20th century perpetrated by the Ottoman Empire against the Armenian people. We acknowledge that to this day it remains unpunished, thus giving way to subsequent genocides, among which we all remember with the tragedies of the Holocaust as well as Cambodia, Rwanda, and even today in (the) Sudan.

Service to humanity without rendering respect for the past cannot possibly reflect in its fullest sense the love of God, which begets a true love for humanity. Let this prayer be a special moment for us to remember the Martyrs of the Armenian genocide. I share on behalf of the Armenian Church and the community that today we are celebrating the commitment of our forefathers to maintain their identity—as sons and daughters of the Armenian nation—of their Christian faith. Above all, they have inspired us to become respectful citizens of the United States of America in pursuing justice for the Armenian cause. It was in the great state of California that many of our ancestors found manifold blessings when they sought refuge during a time of great tragedy and strife.

I commend you all for considering the two pieces of legislation regarding the Armenian Genocide put before the legislature today. I especially commend those who in introducing the legislation have stood fast and firm in their commitment to the truth.

Truly, the recognition of the genocide will be the response of our prayer. We cannot be political in our prayers; we cannot be political in our respect for history. The truth cannot be hidden. The truth cannot be compromised. When we look at history, unfettered by subjective preferences, it is indeed virtuous to accept the truth despite consequence of convenience.

It is my final prayer that we should all, through the love and grace of God, find the strength to engage both our history and future with bravery and virtue.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Aghazarian then led the Assembly in the pledge of allegiance to the Flag.

CONSIDERATION OF SENATE BILL NO. 424 BY UNANIMOUS CONSENT

Assembly Member Aghazarian was granted unanimous consent to take up Senate Bill No. 424 out of order, for purpose of consideration.

SENATE BILL NO. 424 (Poochigian)—An act to add Section 6720 to the Government Code, relating to Armenia.

Bill read third time, and presented by Assembly Member Aghazarian.

Bill passed by the following vote:

AYES—75

Aghazarian	Dymally	La Suer	Richman
Arambula	Emmerson	Laird	Ridley-Thomas
Baca	Evans	Leno	Runner
Benoit	Frommer	Leslie	Ruskin
Berg	Garcia	Levine	Saldaña
Bermúdez	Goldberg	Lieber	Salinas
Blakeslee	Hancock	Liu	Spitzer
Bogh	Harman	Mathews	Strickland
Calderon	Haynes	Maze	Torrico
Canciamilla	Horton, Jerome	McCarthy	Tran
Chan	Horton, Shirley	Montañez	Umberg
Chavez	Houston	Mountjoy	Vargas
Chu	Huff	Mullin	Villines
Cogdill	Jones	Nakanishi	Walters
Cohn	Karnette	Nava	Wolk
Coto	Keene	Negrete McLeod	Wyland
Daucher	Klehs	Niello	Yee
De La Torre	Koretz	Parra	Mr. Speaker
DeVore	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate immediately.

RECESS

By unanimous consent, at 10:10 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Aghazarian introduced His Eminence Archbishop Hovnan Derderian, Primate of the Western Diocese of the Armenian Apostolic Church of America, His Eminence Archbishop Moushegh Mardirossian, Prelate of the Western Prelacy of the Armenian Church of North America, and The Honorable Gagik Kirakossian, Consul General of the Republic of Armenia; Members of the Armenian Genocide 90th Anniversary Commemorative Committee of California; and fourteen participants in the Walk for Humanity, that marched for 19 days over a distance of 215 miles.

RECONVENED

At 10:15 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 532, ordered to third reading;

Assembly Bill No. 961, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 324—An act to add Section 10007 to the Penal Code, relating to inmates.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 416—An act to amend Section 38131 of the Education Code, relating to schools.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Judiciary.

ASSEMBLY BILL NO. 252—An act to amend Section 8778 of the Government Code, relating to arts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 554—An act to amend Sections 12022.3 and 12022.8, relating to assault.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1390—An act to amend Sections 33334.2 and 33334.22 of, and to amend and repeal Section 33413 of, the Health and Safety Code, relating to housing.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Housing and Community Development.

ASSEMBLY BILL NO. 877—An act to amend Section 22651 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 1065—An act to add Section 19316.5 to the Food and Agricultural Code, relating to kitchen grease.

Bill read second time; amendments proposed by the Committee on Agriculture read and adopted; bill ordered reprinted and to be re-referred to the Committee on Rules.

ASSEMBLY BILL NO. 662—An act to add Title 8 (commencing with Section 945.6) to Part 2 of Division 2 of the Civil Code, and to add Section 337.17 to the Code of Civil Procedure, relating to construction defects, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 378—An act to amend Section 52 of the Civil Code, and to amend Section 338 of the Code of Civil Procedure, relating to protected classes.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1757—An act to amend Sections 12015, 12016, 12107, and 12108 of, and to add Section 12015.5 to, the Elections Code, relating to elections.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1122—An act to amend Section 672 of the Insurance Code, relating to auto insurance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1734—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 450—An act to add Title 1.2A (commencing with Section 1746) to Part 4 of Division 3 of the Civil Code, relating to violent video games.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 737—An act to amend Section 11552 of, to add Article 14 (commencing with Section 12838) to Chapter 1 of Part 2.5 of Division 3 of Title 2 of, and to repeal Sections 11560, 11563.1, 12811, and 12811.1 of, the Government Code, and to amend Sections 2800, 2802, 2803, 2804, 2806, 2807, 2808, 2809, 2810, 2810.5, 2811, 2815, 2816, 3041, 3041.1, 5000, 5001, 5003.5, 5050, 5052, 5054, 5055, 5057, 5075, 5076.1, 6024, 6025, 6026, 6030, 6050, 7518, 13600, 13601, 13602, 13603, 13810, and 14204 of, to amend the headings of Chapter 1 (commencing with Section 5000), Chapter 2 (commencing with Section 5050), Chapter 3 (commencing with Section 5075), Chapter 4 (commencing with Section 6001), and Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of, and to amend the heading of Title 4.5 (commencing with Section 13600) of Part 4, of, and to add Sections 5075.1, 5075.6, and 6126.6 to, and to repeal Sections 2036, 2038, 2043.3, 2045.3, 2046.3, 2048.3, 2048.7, 2079, 5051, 5051.5, 5053, 5067, 5082, 6001, 6003, and 6004 of, and to repeal Article 3 (commencing with Section 2400) of Chapter 2 of Title 1 of Part 3 of, the Penal Code, and to amend Sections 1000, 1703, 1710, 1711, 1712, 1713, 1714, 1716, 1719, 1720, 1723, 1725, 1766, 1798, 3150, 3151, 3158, 3300, and 3309 of, and to repeal Sections 1717, 1718, 1721, 1722, and 3157 of, and to repeal and add Section 1798.5 the Welfare and Institutions Code, relating to reorganizing the Youth and Adult Correctional Agency, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 21, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 252

Assembly Bill No. 1734

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY JOINT RESOLUTION NO. 13 (Torricono)—Relative to Social Security.

Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 13

Assembly Member Torricono was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 13.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Arambula, Baca, Berg, Bermúdez, Calderon, Chavez, Chu, Cohn, Coto, Dymally, Evans, Frommer, Goldberg, Hancock, Jerome Horton, Jones, Karnette, Klehs, Koretz, Laird, Leno, Levine, Liu, Matthews, Mullin, Nava, Negrete McLeod, Núñez, Parra, Ridley-Thomas, Ruskin, Saldaña, Salinas, Umberg, Vargas, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member Torricono was granted unanimous consent to take up Assembly Joint Resolution No. 13, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 13, as Amended

ASSEMBLY JOINT RESOLUTION NO. 13—Relative to Social Security.

Resolution read, as amended, and adopted by the following vote:

AYES—42

Arambula	Dymally	Leno	Ruskin
Baca	Evans	Levine	Saldaña
Berg	Frommer	Lieber	Salinas
Bermúdez	Goldberg	Liu	Torricono
Calderon	Hancock	Matthews	Umberg
Chan	Horton, Jerome	Montañez	Vargas
Chavez	Jones	Mullin	Wolk
Chu	Karnette	Nava	Yee
Cohn	Klehs	Negrete McLeod	Mr. Speaker
Coto	Koretz	Parra	
De La Torre	Laird	Ridley-Thomas	

NOES—30

Aghazarian	Harman	Leslie	Runner
Benoit	Haynes	Maze	Strickland
Blakeslee	Horton, Shirley	McCarthy	Tran
Bogh	Houston	Mountjoy	Villines
Cogdill	Huff	Nakanishi	Walters
Daucher	Keene	Niello	Wyland
DeVore	La Malfa	Plescia	
Emmerson	La Suer	Richman	

Resolution ordered transmitted to the Senate.

SPECIAL RECOGNITION

The Members of the Assembly joined Speaker Núñez in extending best wishes to Assembly Members Canciamilla, Mullin, and Evans on the occasion of their birthdays.

RECESS

By unanimous consent, at 10:43 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Yee introduced the Honorable Prof. Dr. Phung Huu Phu, Chairman of the Hanoi Parliament.

RECONVENED

At 10:47 a.m., the Assembly reconvened.

Hon. Sally Lieber, Assistant Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 1527 (Liu)—An act to add Chapter 6 (commencing with Section 4965) to Division 1.5 of the Financial Code, relating to financial institutions.

Bill read third time, and passed by the following vote:

AYES—70

Aghazarian	DeVore	La Malfa	Ridley-Thomas
Arambula	Dymally	Laird	Runner
Baca	Emmerson	Leno	Ruskin
Benoit	Evans	Levine	Saldaña
Berg	Frommer	Lieber	Salinas
Bermúdez	Garcia	Liu	Spitzer
Blakeslee	Goldberg	Matthews	Strickland
Bogh	Hancock	Maze	Torrico
Calderon	Harman	McCarthy	Tran
Canciamilla	Horton, Jerome	Mountjoy	Umberg
Chan	Horton, Shirley	Mullin	Vargas
Chavez	Houston	Nakanishi	Villines
Chu	Huff	Nava	Wolk
Cogdill	Jones	Negrete McLeod	Wyland
Cohn	Karnette	Niello	Yee
Coto	Keene	Parra	Mr. Speaker
Daucher	Klehs	Plescia	
De La Torre	Koretz	Richman	

NOES—3

Haynes	Leslie	Walters
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Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1322 (Evans)—An act to amend Section 170.1 of the Code of Civil Procedure, relating to judges.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Dymally	La Suer	Ridley-Thomas
Arambula	Emmerson	Laird	Runner
Baca	Evans	Leno	Ruskin
Benoit	Frommer	Leslie	Saldaña
Berg	Garcia	Levine	Salinas
Bermúdez	Goldberg	Lieber	Spitzer
Blakeslee	Hancock	Liu	Strickland
Bogh	Harman	Matthews	Torrico
Calderon	Haynes	Maze	Tran
Canciamilla	Horton, Jerome	McCarthy	Umberg
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Villines
Chu	Huff	Nakanishi	Walters
Cogdill	Jones	Nava	Wolk
Cohn	Karnette	Negrete McLeod	Wyland
Coto	Keene	Niello	Yee
Daucher	Kleh	Parra	Mr. Speaker
De La Torre	Koretz	Plescia	
DeVore	La Malfa	Richman	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 769 (Jerome Horton)—An act to amend Section 17980.7 of the Health and Safety Code, relating to residential real property.

Bill read third time, and passed by the following vote:

AYES—70

Aghazarian	Dymally	La Suer	Runner
Arambula	Emmerson	Laird	Ruskin
Baca	Evans	Leno	Saldaña
Benoit	Frommer	Levine	Salinas
Berg	Garcia	Lieber	Spitzer
Bermúdez	Goldberg	Liu	Strickland
Blakeslee	Hancock	Matthews	Torrico
Bogh	Harman	McCarthy	Tran
Calderon	Horton, Jerome	Mountjoy	Umberg
Canciamilla	Horton, Shirley	Mullin	Vargas
Chan	Houston	Nakanishi	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wolk
Cogdill	Karnette	Niello	Wyland
Cohn	Keene	Parra	Yee
Coto	Kleh	Plescia	Mr. Speaker
De La Torre	Koretz	Richman	
DeVore	La Malfa	Ridley-Thomas	

NOES—4

Daucher	Haynes	Leslie	Maze
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Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1133 (Harman)—An act to amend Section 2028.050 of the Code of Civil Procedure, and to amend, repeal, and add Section 912 of the Evidence Code, relating to evidentiary privileges.

Bill read third time, and passed by the following vote:

AYES—53

Aghazarian	Evans	Leslie	Salinas
Arambula	Frommer	Liu	Spitzer
Benoit	Garcia	Matthews	Strickland
Blakeslee	Harman	Maze	Tran
Bogh	Haynes	McCarthy	Umberg
Calderon	Horton, Jerome	Mountjoy	Vargas
Canciamilla	Horton, Shirley	Mullin	Villines
Chavez	Houston	Nakanishi	Walters
Cogdill	Huff	Niello	Wolk
Cohn	Jones	Parra	Wyland
Daucher	Keene	Plescia	Yee
De La Torre	La Malfa	Richman	
DeVore	La Suer	Ridley-Thomas	
Emmerson	Leno	Runner	

NOES—11

Baca	Coto	Hancock	Laird
Berg	Dymally	Klehs	Ruskin
Bermúdez	Goldberg	Koretz	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 56 (Wolk)—An act to amend Sections 21456.2 and 21456.3 of, and to amend and repeal Section 21450 of, the Vehicle Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—58

Aghazarian	Dymally	Koretz	Ridley-Thomas
Arambula	Evans	La Suer	Ruskin
Baca	Frommer	Laird	Saldaña
Berg	Garcia	Leno	Salinas
Bermúdez	Goldberg	Levine	Spitzer
Blakeslee	Hancock	Lieber	Torrico
Calderon	Harman	Liu	Tran
Canciamilla	Horton, Jerome	Matthews	Umberg
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Villines
Chu	Huff	Nakanishi	Wolk
Cohn	Jones	Nava	Yee
Coto	Karnette	Negrete McLeod	Mr. Speaker
Daucher	Keene	Parra	
De La Torre	Klehs	Richman	

NOES—14

Benoit	Haynes	Niello	Walters
Bogh	La Malfa	Plescia	Wyland
Cogdill	Leslie	Runner	
DeVore	Maze	Strickland	

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—58

Aghazarian	Dymally	Koretz	Ridley-Thomas
Arambula	Evans	La Suer	Ruskin
Baca	Frommer	Laird	Saldaña
Berg	Garcia	Leno	Salinas
Bermúdez	Goldberg	Levine	Spitzer
Blakeslee	Hancock	Lieber	Torricon
Calderon	Harman	Liu	Tran
Canciamilla	Horton, Jerome	Matthews	Umberg
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Villines
Chu	Huff	Nakanishi	Wolk
Cohn	Jones	Nava	Yee
Coto	Karnette	Negrete McLeod	Mr. Speaker
Daucher	Keene	Parra	
De La Torre	Klehs	Richman	

NOES—14

Benoit	Haynes	Niello	Walters
Bogh	La Malfa	Plescia	Wyland
Cogdill	Leslie	Runner	
DeVore	Maze	Strickland	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 85 (Maze)—An act to amend Sections 48000, 48001, and 48002 of, and to repeal and add Section 48002.5 of, the Food and Agricultural Code, relating to citrus fruit crops, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	Dymally	La Suer	Richman
Arambula	Emmerson	Laird	Ridley-Thomas
Baca	Evans	Leno	Runner
Benoit	Frommer	Leslie	Ruskin
Berg	Garcia	Levine	Saldaña
Bermúdez	Goldberg	Lieber	Salinas
Bogh	Hancock	Liu	Spitzer
Calderon	Harman	Matthews	Strickland
Canciamilla	Horton, Jerome	Maze	Torricon
Chan	Horton, Shirley	McCarthy	Tran
Chavez	Houston	Mountjoy	Umberg
Chu	Huff	Mullin	Vargas
Cogdill	Jones	Nakanishi	Villines
Cohn	Karnette	Nava	Wolk
Coto	Keene	Negrete McLeod	Wyland
Daucher	Klehs	Niello	Yee
De La Torre	Koretz	Parra	Mr. Speaker
DeVore	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 107 (Benoit)—An act to amend Section 11202 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—59

Aghazarian	Emmerson	Leno	Ruskin
Arambula	Frommer	Leslie	Saldaña
Baca	Garcia	Liu	Salinas
Benoit	Goldberg	Matthews	Strickland
Berg	Harman	McCarthy	Torrico
Bermúdez	Haynes	Mullin	Tran
Calderon	Horton, Jerome	Nakanishi	Umberg
Canciamilla	Horton, Shirley	Nava	Vargas
Chan	Houston	Negrete McLeod	Villines
Chavez	Huff	Niello	Walters
Chu	Jones	Parra	Wolk
Cogdill	Karnette	Plescia	Wyland
Daucher	Klehns	Richman	Yee
DeVore	La Malfa	Ridley-Thomas	Mr. Speaker
Dymally	Laird	Runner	

NOES—8

Blakeslee	Cohn	Evans	Mountjoy
Bogh	De La Torre	Koretz	Spitzer

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 242 (Vargas)—An act to amend Sections 826, 12340.5, 12389, and 12389.1 of, and to add Sections 12389.7 and 12389.8 to, the Insurance Code, relating to underwritten title companies.

Bill read third time, and passed by the following vote:

AYES—72

Aghazarian	DeVore	Koretz	Richman
Arambula	Dymally	La Malfa	Ridley-Thomas
Baca	Emmerson	Laird	Runner
Benoit	Evans	Leno	Ruskin
Berg	Frommer	Leslie	Saldaña
Bermúdez	Garcia	Levine	Salinas
Blakeslee	Goldberg	Lieber	Spitzer
Bogh	Hancock	Liu	Strickland
Calderon	Harman	Matthews	Torrico
Canciamilla	Haynes	Maze	Tran
Chan	Horton, Jerome	McCarthy	Umberg
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Houston	Nakanishi	Villines
Cogdill	Huff	Nava	Walters
Cohn	Jones	Negrete McLeod	Wolk
Coto	Karnette	Niello	Wyland
Daucher	Keene	Parra	Yee
De La Torre	Klehns	Plescia	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1426 (Liu)—An act to amend Section 597u of, and to repeal Section 597w of, the Penal Code, relating to animals.

Bill read third time.

At 11:20 a.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

Point of Order

Assembly Member Levine arose to the following point of order:

Assembly Member Leslie is not addressing debate to the merits of Assembly Bill No. 1426.

Ruling by the Speaker pro Tempore Yee

Speaker pro Tempore Yee ruled the point of order well-taken.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—56

Baca	De La Torre	La Malfa	Richman
Benoit	Dymally	Laird	Ridley-Thomas
Berg	Evans	Leno	Ruskin
Bermúdez	Frommer	Levine	Saldaña
Blakeslee	Garcia	Lieber	Salinas
Calderon	Goldberg	Liu	Spitzer
Canciamilla	Hancock	Matthews	Strickland
Chan	Horton, Jerome	Mountjoy	Tran
Chavez	Horton, Shirley	Mullin	Umberg
Chu	Jones	Nakanishi	Vargas
Cogdill	Karnette	Nava	Wolk
Cohn	Keene	Negrete McLeod	Wyland
Coto	Klehs	Parra	Yee
Daucher	Koretz	Plescia	Mr. Speaker

NOES—12

Aghazarian	Haynes	Maze	Runner
Bogh	Houston	McCarthy	Villines
DeVore	Huff	Niello	Walters

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1234 (Salinas)—An act to add Article 2.3 (commencing with Section 53232) and Article 2.4 (commencing with Section 53234) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local agencies.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	DeVore	La Malfa	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Runner
Benoit	Evans	Leslie	Ruskin
Berg	Frommer	Levine	Saldaña
Bermúdez	Garcia	Lieber	Salinas
Blakeslee	Goldberg	Liu	Spitzer
Bogh	Hancock	Matthews	Strickland
Calderon	Harman	Maze	Torrigo
Canciamilla	Haynes	McCarthy	Tran
Chan	Horton, Jerome	Mountjoy	Umberg
Chavez	Horton, Shirley	Mullin	Vargas
Chu	Houston	Nakanishi	Walters
Cogdill	Huff	Nava	Wolk
Cohn	Jones	Negrete McLeod	Wyland
Coto	Karnette	Niello	Yee
Daucher	Klehs	Parra	Mr. Speaker
De La Torre	Koretz	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 8 (Canciamilla)—Relative to marine pollution.

Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 8

Assembly Member Canciamilla was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 8

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Berg, Bermúdez, Blakeslee, Calderon, Chan, Chavez, Chu, Cohn, Coto, Daucher, De La Torre, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, Mullin, Nakanishi, Nava, Negrete McLeod, Núñez, Parra, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Spitzer, Torrigo, Tran, Umberg, Vargas, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Canciamilla was granted unanimous consent to take up Assembly Joint Resolution No. 8, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 8, as Amended

ASSEMBLY JOINT RESOLUTION NO. 8—Relative to marine pollution.

Resolution read, as amended, and adopted by the following vote:

AYES—68

Aghazarian	De La Torre	Klehs	Parra
Arambula	DeVore	Koretz	Plescia
Baca	Dymally	La Malfa	Richman
Benoit	Emmerson	Laird	Ridley-Thomas
Berg	Evans	Leno	Ruskin
Bermúdez	Frommer	Leslie	Saldaña
Blakeslee	Garcia	Levine	Salinas
Bogh	Goldberg	Lieber	Spitzer
Calderon	Hancock	Liu	Torrico
Canciamilla	Harman	Matthews	Tran
Chan	Horton, Jerome	Maze	Umberg
Chavez	Horton, Shirley	McCarthy	Vargas
Chu	Houston	Mullin	Walters
Cogdill	Huff	Nakanishi	Wolk
Cohn	Jones	Nava	Wyland
Coto	Karnette	Negrete McLeod	Yee
Daucher	Keene	Niello	Mr. Speaker

NOES—3

Haynes	Mountjoy	Strickland
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Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 53 (Lieber)—Relative to organ donation.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 53**

Assembly Member Lieber was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 53.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Leslie, Levine, Liu, Matthews, Maze, McCarthy, Mountjoy, Mullin, Nakanishi, Nava, Negrete McLeod, Niello, Núñez, Parra, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Lieber was granted unanimous consent to take up Assembly Concurrent Resolution No. 53, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 53, as Amended
ASSEMBLY CONCURRENT RESOLUTION NO. 53—Relative to organ donation.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS

By unanimous consent, at 11:32 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Lieber introduced Jason and Tamara Mitchell and Tracy Bryan who are members of Donate for Life California.

RECONVENED

At 11:33 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY JOINT RESOLUTION NO. 1 (Bermudez)—Relative to Dr. Dalip S. Saund.

Resolution read.

Request for Use of Visual Aids

Assembly Member Bermúdez was granted unanimous consent to use visual aids on the Floor to assist in debate.

Members Made Coauthors of Assembly Joint Resolution No. 1

Assembly Member Bermúdez was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 1.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Berg, Blakeslee, Bogh, Calderon, Canciamilla, Chavez, Chu, Cogdill, Cohn, Daucher, De La Torre, Dymally, Emmerson, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jones, Karnette, Keene, Koretz, Laird, Leno, Leslie, Levine, Lieber, Maze, McCarthy, Nava, Niello, Núñez, Parra, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Vargas, Villines, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Bermúdez was granted unanimous consent to take up Assembly Joint Resolution No. 1, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 1, as Amended
ASSEMBLY JOINT RESOLUTION NO. 1—Relative to Dr. Dalip S. Saund.

Resolution read, as amended, and adopted by the following vote:

AYES—71

Aghazarian	Dymally	La Malfa	Ridley-Thomas
Arambula	Emmerson	Laird	Runner
Baca	Evans	Leno	Ruskin
Benoit	Frommer	Leslie	Saldaña
Berg	Garcia	Levine	Salinas
Bermúdez	Goldberg	Lieber	Spitzer
Blakeslee	Hancock	Liu	Strickland
Bogh	Harman	Matthews	Torrico
Calderon	Haynes	Maze	Tran
Canciamilla	Horton, Jerome	McCarthy	Umberg
Chan	Horton, Shirley	Mullin	Vargas
Chavez	Houston	Nakanishi	Villines
Chu	Huff	Nava	Walters
Cogdill	Jones	Negrete McLeod	Wolk
Cohn	Karnette	Niello	Wyland
Daucher	Keene	Parra	Yee
De La Torre	Klehs	Plescia	Mr. Speaker
DeVore	Koretz	Richman	

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 40 (Lieber)—Relative to the 85th Anniversary of the League of Women Voters.

Resolution read.

Members Made Coauthors of
Assembly Concurrent Resolution No. 40

Assembly Member Lieber was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 40.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Arambula, Baca, Berg, Bermúdez, Blakeslee, Calderon, Canciamilla, Chan, Chavez, Chu, Cohn, Daucher, De La Torre, Dymally, Evans, Frommer, Goldberg, Hancock, Jerome Horton, Shirley Horton, Houston, Jones, Karnette, Klehs, Koretz, Laird, Levine, Liu, Matthews, Mullin, Nava, Negrete McLeod, Núñez, Parra, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Spitzer, Torrico, Umberg, Vargas, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member Lieber was granted unanimous consent to take up Assembly Concurrent Resolution No. 40, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 40, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 40—Relative to the 85th Anniversary of the League of Women Voters.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS

By unanimous consent, at 11:45 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Lieber introduced and presented a resolution to Jackie Jacobberger, President of the League of Women Voters of California, in recognition of the league's 85th anniversary.

RECONVENED

At 11:47 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 249 (DeVore)—An act to amend Section 19582.5 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—65

Aghazarian	Emmerson	Leslie	Saldaña
Arambula	Evans	Levine	Salinas
Baca	Frommer	Liu	Spitzer
Berg	Garcia	Matthews	Strickland
Bermúdez	Harman	Maze	Torrico
Blakeslee	Haynes	McCarthy	Tran
Bogh	Horton, Shirley	Mountjoy	Umberg
Calderon	Houston	Nakanishi	Vargas
Canciamilla	Huff	Nava	Villines
Chavez	Jones	Negrete McLeod	Walters
Chu	Karnette	Niello	Wolk
Cogdill	Keene	Parra	Wyland
Cohn	Klehs	Plescia	Yee
Daucher	Koretz	Richman	Mr. Speaker
De La Torre	La Malfa	Ridley-Thomas	
DeVore	Laird	Runner	
Dymally	Leno	Ruskin	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 100 (Cohn)—An act to amend Section 977.2 of the Penal Code, relating to crimes.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	Emmerson	Laird	Ridley-Thomas
Arambula	Evans	Leno	Runner
Baca	Frommer	Leslie	Ruskin
Benoit	Garcia	Levine	Saldaña
Berg	Goldberg	Lieber	Salinas
Bermúdez	Hancock	Liu	Spitzer
Bogh	Harman	Matthews	Strickland
Calderon	Haynes	Maze	Torrigo
Canciamilla	Horton, Jerome	McCarthy	Tran
Chan	Horton, Shirley	Mountjoy	Umberg
Chavez	Houston	Mullin	Vargas
Chu	Huff	Nakanishi	Villines
Cogdill	Jones	Nava	Walters
Cohn	Karnette	Negrete McLeod	Wolk
Daucher	Keene	Niello	Wyland
De La Torre	Kleh	Parra	Yee
DeVore	Koretz	Plescia	Mr. Speaker
Dymally	La Malfa	Richman	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 609 (Lieber)—An act to amend Sections 2951 and 2952 of the Probate Code, relating to guardianships.

Bill read third time, and passed by the following vote:

AYES—72

Aghazarian	DeVore	Koretz	Plescia
Arambula	Dymally	La Malfa	Richman
Baca	Emmerson	Laird	Ridley-Thomas
Benoit	Evans	Leno	Runner
Berg	Frommer	Leslie	Ruskin
Bermúdez	Garcia	Levine	Saldaña
Blakeslee	Goldberg	Lieber	Salinas
Bogh	Hancock	Liu	Spitzer
Calderon	Harman	Matthews	Strickland
Canciamilla	Haynes	Maze	Torrigo
Chan	Horton, Jerome	McCarthy	Tran
Chavez	Horton, Shirley	Mountjoy	Umberg
Chu	Houston	Mullin	Vargas
Cogdill	Huff	Nakanishi	Villines
Cohn	Jones	Nava	Wolk
Coto	Karnette	Negrete McLeod	Wyland
Daucher	Keene	Niello	Yee
De La Torre	Kleh	Parra	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. 4 (Torlakson)—Relative to public health awareness.

Resolution read, and presented by Assembly Member Chan.

Members Made Coauthors of Senate Concurrent Resolution No. 4

Assembly Member Chan was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 4.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Benoit, Berg, Bermúdez, Blakeslee, Calderon, Canciamilla, Chu, Cogdill, Coto, Daucher, De La Torre, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jones, Karnette, Keene, Klehs, Laird, Leno, Leslie, Levine, Lieber, Liu, Maze, McCarthy, Mullin, Nakanishi, Negrete McLeod, Núñez, Parra, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Wolk, Wyland and Yee.

Request for Unanimous Consent

Assembly Member Chan was granted unanimous consent to take up Senate Concurrent Resolution No. 4, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 4, as Amended

SENATE CONCURRENT RESOLUTION NO. 4—Relative to public health awareness.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

SENATE JOINT RESOLUTION NO. 7 (Bowen)—Relative to Equal Pay Day.

Resolution read, and presented by Assembly Member Lieber.

Members Made Coauthors of Senate Joint Resolution No. 7

Assembly Member Lieber was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Joint Resolution No. 7.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Berg, Bermúdez, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jones, Karnette, Klehs, Koretz, Laird, Leno, Levine, Lieber, Liu, Matthews, McCarthy, Mullin, Nava, Negrete McLeod, Parra, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Torrico, Tran, Umberg, Vargas, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member Lieber was granted unanimous consent to take up Senate Joint Resolution No. 7, as amended, without reference to print or file.

Consideration of Senate Joint Resolution No. 7, as Amended

SENATE JOINT RESOLUTION NO. 7—Relative to Equal Pay Day.

Resolution read, as amended, and adopted by the following vote:

AYES—69

Aghazarian	DeVore	La Malfa	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Runner
Benoit	Evans	Leslie	Ruskin
Berg	Frommer	Levine	Saldaña
Bermúdez	Garcia	Lieber	Salinas
Blakeslee	Goldberg	Liu	Spitzer
Bogh	Hancock	Matthews	Torrico
Calderon	Harman	Maze	Tran
Canciamilla	Horton, Jerome	McCarthy	Umberg
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Villines
Chu	Huff	Nakanishi	Wolk
Cogdill	Jones	Nava	Wyland
Cohn	Karnette	Negrete McLeod	Yee
Coto	Keene	Niello	
Daucher	Klehs	Parra	
De La Torre	Koretz	Plescia	

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 1340 (Committee on Environmental Safety and Toxic Materials)—An act to amend Sections 12812.2 and 12812.3 of the Government Code, relating to environmental protection.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1341 (Committee on Environmental Safety and Toxic Materials)—An act to amend Sections 25211.3, 25211.4, and 25404 of the Health and Safety Code, relating to hazardous waste.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 175 (Calderon)—An act to add Title 1.4C (commencing with Section 1749.75) to Part 4 of Division 3 of the Civil Code, relating to gift cards.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 204 (Harman)—An act to amend Sections 249.5 and 294.7 of the Probate Code, relating to decedents' estates.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 248 (Tran)—An act to amend Sections 3439.08 and 3439.09 of the Civil Code, relating to fraudulent transfers, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 987 (Frommer)—An act to repeal Section 22325 of the Business and Professions Code, and to amend and repeal Section 1936 of the Civil Code, relating to vehicle rental agreements.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1528 (Jones)—An act to add Section 1940.05 to the Civil Code, relating to tenancy.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 5 (Mountjoy)—Relative to the Abiel Barron Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 33 (Lieber)—Relative to the Joint Committee on Human Trafficking in California.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 70 (Maze)—An act to amend Section 4467 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 118 (Cohn)—An act to amend Section 3100 of the Family Code, and to amend Section 136.2 of the Penal Code, relating to protective orders.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 297 (Yee)—An act to amend Sections 19583.5 and 19583.51 of the Government Code, relating to state employees.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 382 (Chan)—An act to repeal Section 91521.3 of the Government Code, relating to industrial development financing.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 392 (Chan)—An act to amend Sections 18986.86 and 18986.87 of, and to repeal Section 18986.88 of, the Welfare and Institutions Code, relating to county integrated health and human services.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 429 (Chu)—An act to amend Section 527.8 of the Code of Civil Procedure, to amend Section 6383 of the Family Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to temporary restraining orders and protective orders.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 465 (Cogdill)—An act to amend Sections 11100, 11100.1, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 489 (Bermudez)—An act to amend Section 2196.1 of the Streets and Highways Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 541 (Harman)—An act to amend Section 3041.5 of the Family Code, and to amend Sections 2341 and 2854 of the Probate Code, relating to guardians.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 780 (Chu)—An act to amend Section 11125.1 of the Government Code, relating to public meetings.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 785 (Karnette)—An act to amend Sections 505.2, 11400, 11405, and 11406 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 947 (Liu)—An act to amend Section 94110 of the Education Code, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 988 (Bogh)—An act to amend Section 186.2 of the Penal Code, relating to criminal profiteering.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 1391 (Leno)—An act to amend Sections 82027.5 and 82048.7 of the Government Code, relating to the Political Reform Act of 1974.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 1566 (Calderon)—An act to amend Section 530.5 of the Penal Code, relating to crime.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY CONCURRENT RESOLUTION NO. 20 (Oropeza)—Relative to CHP Officer Merle L. Andrews Memorial Interchange.

Resolution read, adopted and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 591 (Yee)—An act to add Section 6535 to the Government Code, relating to Medi-Cal.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY JOINT RESOLUTION NO. 17 (Jones)—Relative to child support penalties.

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 Resolutions

SENATE CONCURRENT RESOLUTION NO. 5 (Battin)—Relative to the Deputy Bruce Lee Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar roll call.)

SENATE CONCURRENT RESOLUTION NO. 21 (Ducheny)—Relative to nonprofit and philanthropic organizations.

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, and any urgency clauses to the bills adopted, by the following vote:

AYES—71

Aghazarian	DeVore	Koretz	Plescia
Arambula	Dymally	La Malfa	Richman
Baca	Emmerson	Laird	Ridley-Thomas
Benoit	Evans	Leno	Runner
Berg	Frommer	Leslie	Ruskin
Bermúdez	Garcia	Levine	Saldaña
Blakeslee	Goldberg	Lieber	Salinas
Bogh	Hancock	Liu	Spitzer
Calderon	Harman	Matthews	Strickland
Canciamilla	Haynes	Maze	Torrico
Chan	Horton, Jerome	McCarthy	Tran
Chavez	Horton, Shirley	Mountjoy	Umberg
Chu	Houston	Mullin	Vargas
Cogdill	Huff	Nakanishi	Villines
Cohn	Jones	Nava	Wolk
Coto	Karnette	Negrete McLeod	Wyland
Daucher	Keene	Niello	Yee
De La Torre	Klehs	Parra	

NOES—None**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 745 and 1632 for hearing in the Committee on Utilities and Commerce on Monday, April 25, 2005.

Objection to Vote Adds and Changes

Assembly Member Frommer withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Joint Resolution No. 13.

ADJOURN IN MEMORY

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Daniel Laver, of Jamul.

Assembly Member Frommer on behalf of Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Nicholas Allen Burns, of El Segundo.

Assembly Member Keene was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Claudia M. Ginno, of Chico.

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 Al Noren, of Santa Cruz.

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cynthia Ann Wider Onstott, of Yuba City.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Merv Harris, of San Mateo.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Leona Frieder, of Lancaster and Jeremy Alexander Rourke and Dr. Ted Warner, of Palmdale.

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 Frank H. Greinke, of Silverado.

Assembly Member Umberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kevin Waldron, 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 Martha L. Haynes and Steven J. Hough, of Davis; Frances Garcia and Charles J. Lopez, of Dixon; Sherry Ann Lynch, Nellie Joyce Marlett, and Timothy Joseph Sheppard, of Fairfield; Pauline Oliver, of Vacaville; Pablo Nunez Delgado, Margaret Mary McGibbon, and Stephen Laurence Willey, of Woodland.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Senate Bill No. 424: Canciamilla, Chu, Houston, Jones, and Koretz—Aye.

Assembly Joint Resolution No. 13: Torrico—Aye; Houston—No.

Assembly Bill No. 1527: Houston, Koretz, La Malfa, Levine, Plescia, Spitzer, Torrico, Villines, and Wyland—Aye.

Assembly Bill No. 1322: Houston, Koretz, Levine, and Spitzer—Aye.

Assembly Bill No. 769: Canciamilla, Evans, Shirley Horton, Houston, Koretz, La Malfa, Levine, Torrico, and Villines—Aye.

Assembly Bill No. 1133: Canciamilla, Chavez, Umberg, and Yee—Aye.

Assembly Bill No. 56 and Urgency: Aghazarian, Chavez, and Garcia—Aye.

Assembly Bill No. 85: Huff—Aye.

Assembly Bill No. 107: Aghazarian, Bermúdez, Goldberg, and Haynes—Aye; Bogh—No.

Assembly Bill No. 242: Haynes, Huff, and Levine—Aye.

Assembly Bill No. 1426: La Malfa, Nakanishi, Spitzer, and Wyland—Aye; Aghazarian and Maze—No.

Assembly Bill No. 1234: Aghazarian, Bermudez, Spitzer, Torrico, and Wyland—Aye.

Assembly Joint Resolution No. 8: Aghazarian, La Malfa, Spitzer, Tran, and Wyland—Aye.

Assembly Joint Resolution No. 1: Aghazarian, Canciamilla, Houston, Huff, Koretz, and Spitzer—Aye.

Assembly Bill No. 249: Bermúdez, Evans, Houston, Koretz, Matthews, and Spitzer—Aye.

Assembly Bill No. 100: Evans, Houston, and Spitzer—Aye.

Assembly Bill No. 609: Evans, Houston, and Spitzer—Aye.

Senate Joint Resolution No. 7: Bermúdez—Aye.

Consent Calendar: Bermúdez, Garcia, and Spitzer—Aye.

MOTION TO ADJOURN

At 11:59 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Tran and Mountjoy arose to speak on the condition of the file.

Point of Order

Assembly Member Frommer arose to the following point of order:

It is in the Assembly Rules and is the practice of the House that Condition of the File is to be used to permit a Member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Condition of the File should not be used as a forum for political discussions on federal issues or statements made regarding the executive branch of government.

Ruling by Speaker pro Tempore Yee

Speaker pro Tempore Yee ruled the point of order well-taken.

REMARKS ON CONDITION OF THE FILE (RESUMED)

Assembly Member DeVore arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:07 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 19—Keene. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 9 of Article II thereof, by amending, repealing, and adding Sections 3, 8, 10, and 12 of Article IV thereof, by amending Section 10.5 of, adding Section 14 to, and amending, repealing, and adding Sections 1, 2, 3, and 8 of, Article XIII B thereof, and by amending, repealing, and adding Sections 8 and 8.5 of, and amending Section 20 of, Article XVI thereof, relating to legislative sessions.

AUTHOR'S AMENDMENTS
Committee on Judiciary

April 21, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 19

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 19—An act to amend Sections 300, 301, and 302 of, and to add Section 403 to, the Family Code, relating to marriage.

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

April 21, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 797

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 797—An act to add Sections 51256.3 and 56375.6 to the Government Code, and to amend Sections 29702, 29703, 29705, 29706, 29707, 29735, 29739, 29741, 29753, 29756, 29756.5, 29763, 29763.5, 29765, 29770, 29771, and 29776 of, and to add Sections 29760.5, 29766.5 to, 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 Judiciary

April 21, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Joint Resolution No. 15

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY JOINT RESOLUTION NO. 15—Relative to the patent of Maglite flashlights.

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 Health

April 21, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 686

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 686—An act to amend Section 123822 of the Health and Safety Code, relating to children's services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 21, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 401	Assembly Bill No. 917
Assembly Bill No. 468	Assembly Bill No. 1191
Assembly Bill No. 494	Assembly Bill No. 1392
Assembly Bill No. 539	Assembly Bill No. 1416
Assembly Bill No. 670	Assembly Bill No. 1503
Assembly Bill No. 693	Assembly Bill No. 1608

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 401—An act to amend the heading of Chapter 4 (commencing with Section 33500) of Part 20 of, and to add Article 8 (commencing with Section 33610) to Chapter 4 of Part 20 of, the Education Code, relating to education and workforce preparation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 468—An act to amend Section 7576 of the Government Code, relating to special education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 494—An act to add Section 17071.47 to the Education Code, relating to school 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.

ASSEMBLY BILL NO. 539—An act to amend Section 17072.10 of the Education Code, relating to school 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.

ASSEMBLY BILL NO. 670—An act to amend Sections 17072.10 and 17074.10 of, and to repeal Sections 17017.6, 17017.7, and 17071.33 of, the Education Code, relating to school 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.

ASSEMBLY BILL NO. 693—An act to add Section 44227.9 to the Education Code, relating to teachers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 917—An act to add Section 52392 to the Education Code, relating to career technical education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1191—An act to add Section 41851.15 to the Education Code, relating to home-to-school transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1392—An act to amend Section 49548 of the Education Code, relating to pupil nutrition.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1416—An act to add Section 37696 to the Education Code, relating to school 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.

ASSEMBLY BILL NO. 1503—An act to add Section 42238.53 to the Education Code, relating to school finance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1608—An act to add Section 51224.1 to the Education Code, relating to vocational education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS **Committee on Education**

April 21, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 171

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 171—An act to add Chapter 6.4 (commencing with Section 52059.1) to Part 28 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 Public Safety

April 21, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 22

Assembly Bill No. 862

Assembly Bill No. 561

Assembly Bill No. 996

Assembly Bill No. 632

Assembly Bill No. 1022

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 22—An act to amend Section 14023 of, to add the heading of Chapter 7.5 (commencing with Section 181) to Title 7 of Part 1 of, and to add Sections 181.1, 181.2, 181.3, 181.4, 181.5, 181.6, 181.7, 13519.13, 13823.17, and 13823.18 to, the Penal Code, relating to human trafficking.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 561—An act to amend Section 2053.4 of the Penal Code, relating to prisons.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 632—An act 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.

ASSEMBLY BILL NO. 862—An act relating to inmates.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 996—An act to add Section 12317 to the Penal Code, relating to ammunition.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1022—An act to amend Section 190.2 of the Penal Code, relating to murder.

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 Labor and Employment

April 21, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 879

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 879—An act to amend Sections 98 and 98.2 of the Labor Code, relating to employment.

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

April 21, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 344

Assembly Bill No. 671

Assembly Bill No. 1398

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 344—An act 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.

ASSEMBLY BILL NO. 671—An act 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.

ASSEMBLY BILL NO. 1398—An act to add Division 40 (commencing with Section 60000) to the Health and Safety Code, relating to public health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

April 21, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 398

Assembly Bill No. 1618

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 398—An act to amend Sections 17255 and 24356 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.

ASSEMBLY BILL NO. 1618—An act to amend Sections 451 and 452 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 Natural Resources

April 21, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1678

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 1678—An act relating to ports and harbors.

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

April 21, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Constitutional Amendment No. 14

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (b) of Section 14 of Article II thereof, by amending subdivision (l) of Section 8 of Article III thereof, by amending subdivision (b) of Section 18 of Article IV thereof, by amending subdivision (b) of Section 5 of, and by amending subdivision (f) of Section 14 of, Article V thereof, by amending subdivision (a) of Section 10 of Article VII thereof, by amending subdivision (j) of Section 3 of, by amending subdivision (g) of Section 11 of, by amending Sections 17, 18, and 19 of, by amending subdivision (h) of Section 28 of, and by adding Section 17.5 to, Article XIII thereof, by amending the ninth paragraph of subdivision (d) of Section 22 of Article XX thereof, and by amending the heading of, and by amending Section 1 of, Article XXI thereof, relating to taxation.

Resolution read second time; 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 Environmental Safety and Toxic Materials

April 21, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1546

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 1546—An act to add Section 57014 to the Health and Safety Code, relating to the environment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Education**

April 21, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 1073

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1073—An act to amend Section 52616.17 of, to add Sections 52617 and 52618 to, and to repeal and add Section 52616.16 of, the Education Code, relating to adult education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Transportation**

April 21, 2005

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1699
Assembly Bill No. 1728

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1699—An act to add Article 6.9 (commencing with Section 20209.20) to Chapter 1 of Part 3 of Division 2 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.

ASSEMBLY BILL NO. 1728—An act to amend Section 23140 of the Vehicle Code, relating to vehicles.

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 Environmental Safety and Toxic Materials**

April 21, 2005

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:
Assembly Bill No. 1430

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RUSKIN, Chair

ASSEMBLY BILL NO. 1430—An act to amend Section 39607.5 of the Health and Safety Code, relating to air 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 Appropriations

April 21, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 176

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 176—An act to amend Section 71601 of the Government Code, relating to trial courts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

April 21, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 499

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 499—An act to amend Section 2002 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.

AUTHOR'S AMENDMENTS
Committee on Agriculture

April 21, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:

Assembly Bill No. 924

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 924—An act to amend Sections 14502, 14504, 14581, 14583, 14585, 14586, 14591, 14601, 14611, 14612, 14613, 14621, 14622, 14623, 14631, 14641, 14642, 14643, 14644, 14645, 14646, 14647, 14648, 14651, 14653, 14654, 14655, 14656, 14657, 14658, 14659, 14660, and 14672 of, and to add Sections 14502.1, 14512.5, and 14559.5 to, the Food and Agricultural Code, relating to fertilizer.

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 Utilities and Commerce

April 21, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 1632

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 1632—An act relating to energy.

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 Utilities and Commerce

April 21, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 962
Assembly Bill No. 1388

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 962—An act to add Section 7662 to the Public Utilities Code, relating to public utilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1388—An act to add Section 16320.5 to the Government Code, and to amend Section 280 of, and to add and repeal Section 280.1 of, 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 Local Government

April 21, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Constitutional Amendment No. 13

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 2 and 5 of Article XIII D thereof, relating to local government finance.

Resolution read second time; 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 Water, Parks and Wildlife

April 21, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 672
Assembly Bill No. 1245

Assembly Bill No. 1247
Assembly Bill No. 1466

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 672—An act to amend Section 115825 of the Health and Safety Code, relating to reservoirs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1245—An act to add Chapter 7.8 (commencing with Section 12929.49) to Part 6 of Division 6 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.

ASSEMBLY BILL NO. 1247—An act to amend Section 513 to the Public Resource Code, relating to 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.

ASSEMBLY BILL NO. 1466—An act to add Part 11 (commencing with Section 12999) to Division 6 of the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

April 21, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 1195

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 1195—An act to add Section 2190.6 to the Business and Professions Code, relating to physicians and surgeons.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 21, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 1454

Assembly Bill No. 1486

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1454—An act to amend Section 139.31 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1486—An act relating to employment.

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 Judiciary**

April 21, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Concurrent Resolution No. 24

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 24—Relative to the California Council on Science and Technology.

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 Judiciary**

April 21, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 27
Assembly Bill No. 1741

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 27—An act to amend Section 1037 of the Penal Code, relating to trial costs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1741—An act to amend Section 1281 of the Code of Civil Procedure, relating to arbitration.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Health**

April 21, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 10

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 10—An act relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Education**

April 21, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 622

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 622—An act to amend Sections 49430, 49430.5, and 49431 of the Education Code, relating to pupil nutrition.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Business and Professions

April 21, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 1178
Assembly Bill No. 1210

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1178—An act to amend Sections 21625, 21626, 21626.5, 21627, 21628, 21630, 21631, 21633, 21640, 21641, 21642, 21645, and 21647 of, to amend and repeal Section 21633 of, to amend, repeal, and add Section 21636 of, to add Sections 2167.2, 21628.3, 21628.6, 21632, 21635, 21636.4, 21636.7, 21636.8, and 21648 to, to repeal Section 21634 of, and to repeal and add Section 21628.1 of, the Business and Professions Code, and to amend Sections 21300, 21301, and 21307 of, to amend, repeal, and add Section 21208 of, to add Section 21308 to, and to repeal Section 21300.1 of the Financial Code, relating to personal property, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1210—An act to add Chapter 4.1 (commencing with Section 6310) to Division 7 of Title 1 of the Government Code, relating to a Holocaust memorial.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Veterans Affairs

April 21, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:
Assembly Bill No. 1666

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 1666—An act to amend Section 981.2 of the Military and Veterans Code, relating to veterans.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Banking and Finance

April 21, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 1694

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 1694—An act to add Section 1785.15.5 to the Civil Code, relating to consumer credit reporting.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR’S AMENDMENTS
Committee on Health

April 21, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 306

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 306—An act to add Chapter 13 (commencing with Section 14985) to Part 5.5 of Division 3 of Title 2 of the Government Code, relating to prescription drugs, 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.

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 51 | Assembly Bill No. 795 |
| Assembly Bill No. 52 | Assembly Bill No. 834 |
| Assembly Bill No. 57 | Assembly Bill No. 1374 |
| Assembly Bill No. 240 | Assembly Bill No. 1518 |
| Assembly Bill No. 271 | Assembly Bill No. 1594 |
| Assembly Bill No. 414 | Assembly Bill No. 1669 |
| Assembly Bill No. 507 | |

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 83 | Assembly Bill No. 604 |
| Assembly Bill No. 270 | Assembly Bill No. 752 |
| Assembly Bill No. 280 | Assembly Bill No. 787 |
| Assembly Bill No. 303 | Assembly Bill No. 806 |
| Assembly Bill No. 348 | Assembly Bill No. 823 |
| Assembly Bill No. 370 | Assembly Bill No. 837 |
| Assembly Bill No. 376 | Assembly Bill No. 1048 |
| Assembly Bill No. 544 | |

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1150

Assembly Bill No. 1376

Assembly Bill No. 1303

Assembly Bill No. 1743

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Joint Resolution No. 12

With the recommendation: Be adopted.

CHU, Chair

Above resolution ordered to third reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 10

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 resolutions be placed on the Consent Calendar.

CHU, Chair

Above resolutions ordered to the Consent Calendar.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 690

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1346

Assembly Bill No. 1637

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 bills be placed on the Consent Calendar.

CHU, Chair

Above bills ordered to second reading.

Committee on Rules

Date of Hearing: April 21, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 41

House Resolution No. 10

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

Date of Hearing: April 21, 2005

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 33
With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Date of Hearing: April 21, 2005

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 38
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.

Committee on Governmental Organization

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 287 | Assembly Bill No. 1249 |
| Assembly Bill No. 584 | Assembly Bill No. 1499 |
| Assembly Bill No. 669 | Assembly Bill No. 1655 |
| Assembly Bill No. 801 | Assembly Bill No. 1750 |
| Assembly Bill No. 892 | Assembly Bill No. 1751 |

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

JEROME HORTON, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Agriculture

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Agriculture reports:

- Assembly Bill No. 393

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

MATTHEWS, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 8
- Assembly Bill No. 436

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bills ordered to second reading.

Committee on Business and Professions

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

- Assembly Bill No. 1625

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 211

Assembly Bill No. 413

Assembly Bill No. 764

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1753

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety with recommendation: To Consent Calendar.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1658

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1029

With the recommendation: Do pass, and be re-referred to the Committee on Revenue and Taxation.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 635

Assembly Bill No. 794

With the recommendation: Do pass.

JEROME HORTON, Chair

Above bills ordered to second reading.

Committee on Local Government

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1602

Assembly Bill No. 1738

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

SALINAS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 1033
Assembly Bill No. 1596

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 1519

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.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 1335

With the recommendation: Do pass.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 1421

With the recommendation: Do pass, and be re-referred to the Committee on Water, Parks and Wildlife.

SALINAS, Chair

Above bill re-referred to the Committee on Water, Parks and Wildlife.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 1208

With the recommendation: Do pass, and be re-referred to the Committee on Transportation.

SALINAS, Chair

Above bill re-referred to the Committee on Transportation.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 919

With the recommendation: Do pass, and be re-referred to the Committee on Revenue and Taxation.

SALINAS, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Committee on Labor and Employment

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 48

Assembly Bill No. 1172

Assembly Bill No. 755

Assembly Bill No. 1184

Assembly Bill No. 875

Assembly Bill No. 1311

Assembly Bill No. 985

Assembly Bill No. 1584

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KORETZ, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 9

With the recommendation: Do pass, and be re-referred to the Committee on Revenue and Taxation.

GOLDBERG, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 455

Assembly Bill No. 882

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.

GOLDBERG, Chair

Above bills ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 956

Assembly Bill No. 1385

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Labor and Employment

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 1093

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

KORETZ, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 581

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Judiciary.

KORETZ, Chair

Above bill ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 551

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

KORETZ, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 97

Assembly Bill No. 172

Assembly Bill No. 506

Assembly Bill No. 564

Assembly Bill No. 680

Assembly Bill No. 1077

Assembly Bill No. 1246

Assembly Bill No. 1253

Assembly Bill No. 1440

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 970

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

GOLDBERG, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 858

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 984

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Agriculture.

JONES, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 998

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 766

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Judiciary.

CHAVEZ, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 405

With the recommendation: Do pass.

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 110

With the recommendation: Do pass, and be re-referred to the Committee on Higher Education with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bill re-referred to the Committee on Higher Education.

Committee on Local Government

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 14

With amendments with the recommendation: Amend, and do pass, as amended.

SALINAS, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, April 21, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Joint Resolution No. 2

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 21, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Concurrent Resolution No. 27

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, April 21, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Assembly Concurrent Resolution No. 4
- Assembly Concurrent Resolution No. 32
- Assembly Concurrent Resolution No. 35

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, April 21, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- | | |
|--------------------|--------------------|
| Senate Bill No. 62 | Senate Bill No. 75 |
| Senate Bill No. 63 | Senate Bill No. 76 |
| Senate Bill No. 64 | Senate Bill No. 77 |
| Senate Bill No. 65 | Senate Bill No. 78 |
| Senate Bill No. 66 | Senate Bill No. 79 |
| Senate Bill No. 67 | Senate Bill No. 80 |
| Senate Bill No. 68 | Senate Bill No. 81 |
| Senate Bill No. 69 | Senate Bill No. 82 |
| Senate Bill No. 70 | Senate Bill No. 83 |
| Senate Bill No. 71 | Senate Bill No. 84 |
| Senate Bill No. 72 | Senate Bill No. 85 |
| Senate Bill No. 73 | Senate Bill No. 86 |
| Senate Bill No. 74 | Senate Bill No. 87 |

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 21, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- | | |
|---------------------|----------------------|
| Senate Bill No. 210 | Senate Bill No. 463 |
| Senate Bill No. 237 | Senate Bill No. 853 |
| Senate Bill No. 274 | Senate Bill No. 1028 |
| Senate Bill No. 365 | |

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 21, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- Senate Bill No. 119

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 21, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Senate Concurrent Resolution No. 20

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

- SENATE BILL NO. 62**—An act relating to the Budget Act of 2005.
SENATE BILL NO. 63—An act relating to the Budget Act of 2005.
SENATE BILL NO. 64—An act relating to the Budget Act of 2005.
SENATE BILL NO. 65—An act relating to the Budget Act of 2005.
SENATE BILL NO. 66—An act relating to the Budget Act of 2005.
SENATE BILL NO. 67—An act relating to the Budget Act of 2005.
SENATE BILL NO. 68—An act relating to the Budget Act of 2005.
SENATE BILL NO. 69—An act relating to the Budget Act of 2005.
SENATE BILL NO. 70—An act relating to the Budget Act of 2005.
SENATE BILL NO. 71—An act relating to the Budget Act of 2005.
SENATE BILL NO. 72—An act relating to the Budget Act of 2005.
SENATE BILL NO. 73—An act relating to the Budget Act of 2005.
SENATE BILL NO. 74—An act relating to the Budget Act of 2005.
SENATE BILL NO. 75—An act relating to the Budget Act of 2005.
SENATE BILL NO. 76—An act relating to the Budget Act of 2005.
SENATE BILL NO. 77—An act relating to the Budget Act of 2005.
SENATE BILL NO. 78—An act relating to the Budget Act of 2005.
SENATE BILL NO. 79—An act relating to the Budget Act of 2005.
SENATE BILL NO. 80—An act relating to the Budget Act of 2005.
SENATE BILL NO. 81—An act relating to the Budget Act of 2005.
SENATE BILL NO. 82—An act relating to the Budget Act of 2005.
SENATE BILL NO. 83—An act relating to the Budget Act of 2005.
SENATE BILL NO. 84—An act relating to the Budget Act of 2005.
SENATE BILL NO. 85—An act relating to the Budget Act of 2005.
SENATE BILL NO. 86—An act relating to the Budget Act of 2005.
SENATE BILL NO. 87—An act relating to the Budget Act of 2005.
SENATE BILL NO. 210—An act to amend Section 2881 of the Public Utilities Code, relating to telecommunications.
SENATE BILL NO. 237—An act to add Section 798.19.5 to the Civil Code, relating to mobilehomes.
SENATE BILL NO. 274—An act to add Section 1099 to the Government Code, relating to public service.
SENATE BILL NO. 365—An act to amend Sections 65589.4 and 65589.7 of the Government Code, relating to housing.
SENATE BILL NO. 463—An act to amend Section 143 of the Streets and Highways Code, relating to transportation.
SENATE BILL NO. 853—An act to amend Sections 945, 1363, 1374, and 1378 of the Civil Code, relating to common interest developments.
SENATE BILL NO. 1028—An act to add Section 3003 to the Fish and Game Code, relating to hunting.
SENATE BILL NO. 119—An act to amend, repeal, and add Sections 307, 5211, 7211, 9211, and 12351 of the Corporations Code, relating to corporations.

The following resolution was read:

- SENATE CONCURRENT RESOLUTION NO. 20**—Relative to the CHP Officer Thomas J. Steiner Memorial Highway.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 12 noon, Monday, April 25, 2005, out of respect to the memory of Daniel Laver, on motion of Assembly Member Berg; out of respect to the memory of Nicholas Allen Burns, on motion of Assembly Member Frommer on behalf of Assembly Member Gordon; out of respect to the memory of Claudia M. Ginno, on motion of Assembly Member Keene; out of respect to the memory of Al Noren, on motion of Assembly Member Laird; out of respect to the memory of Cynthia Ann Wider Onstott, on motion of Assembly Member La Malfa; out of respect to the memory of Merv Harris, on motion of Assembly Member Mullin; out of respect to the memory of Leona Frieder, Jeremy Alexander Rourke and Dr. Ted Warner, on motion of Assembly Member Runner; out of respect to the memory of Frank H. Greinke, on motion of Assembly Member Spitzer; out of respect to the memory of Kevin Waldron, on motion of Assembly Member Umberg; and out of respect to the memory of Martha L. Haynes, Steven J. Hough, Frances Garcia, Charles J. Lopez, Sherry Ann Lynch, Nellie Joyce Marlett, Timothy Joseph Sheppard, Pauline Oliver, Pablo Nunez Delgado, Margaret Mary McGibbon, and Stephen Laurence Willey, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 21, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
10	0512463	879	0511532
19	0512189	917	0512025
22	0509083	924	0512083
27	0512116	962	0512305
171	0512345	996	0511677
176	0511179	1022	0512395
306	0512255	1065	0512198
324	0511705	1073	0512318
344	0511308	1178	0512354
378	0511538	1191	0512007
398	0511524	1195	0512201
401	0511998	1210	0512272
416	0511837	1245	0512118
450	0512296	1247	0512223
468	0512257	1388	0512208
494	0512122	1390	0511603
499	0512214	1392	0511980
539	0512006	1398	0511503
554	0510853	1416	0510862
561	0511184	1430	0512191
622	0511703	1454	0510602
632	0511984	1466	0512102
662	0511632	1486	0511773
670	0512224	1503	0511912
671	0511969	1546	0512074
672	0511965	1608	0512225
686	0512154	1618	0511933
693	0511995	1632	0511429
797	0512234	1666	0512034
862	0512078	1678	0512143
877	0511526	1694	0512330

AB	RN	ACR	RN
1699	0512038	24	0512200
1728	0512028		
1741	0512462	AJR	RN
1757	0511268	15	0512032
ACA	RN	SB	RN
13	0510724	737	0512243
14	0511529		

Daily Total: 71
Cumulative Total: 1092

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 25, 2005

FIFTY-NINTH SESSION DAY

ONE HUNDRED FORTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, April 25, 2005

The Assembly met at 12:01 p.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Dymally moved a quorum call of the Assembly.
Motion carried.

The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:09 p.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—76:

Aghazarian	Dymally	Laird	Pavley
Arambula	Emmerson	Leno	Plescia
Baca	Evans	Leslie	Richman
Bass	Frommer	Levine	Ridley-Thomas
Benoit	Garcia	Lieber	Runner
Berg	Goldberg	Liu	Ruskin
Bermúdez	Hancock	Matthews	Saldaña
Blakeslee	Harman	Maze	Salinas
Bogh	Haynes	McCarthy	Spitzer
Calderon	Horton, Jerome	Montañez	Strickland
Canciamilla	Horton, Shirley	Mountjoy	Torrico
Chan	Houston	Mullin	Tran
Chavez	Huff	Nakanishi	Umberg
Chu	Jones	Nation	Vargas
Cogdill	Karnette	Nava	Villines
Coto	Keene	Negrete McLeod	Walters
Daucher	Klehs	Niello	Wolk
De La Torre	Koretz	Oropeza	Wyland
DeVore	La Malfa	Parra	Yee

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, Examine us and test us. Judge our desires and thoughts. As we live each day and go about our business, we try to do what is right, so be merciful to us and save us. Your constant love is our guide and Your faithfulness always leads us. Grant us the wisdom to make the right choices, Lord, and help us to remember that You are bigger than any problems we may encounter. Thank You for loving us and setting us free to walk with You today.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Negrete McLeod then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Goldberg, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member La Suer.

Because of illness: Assembly Members Cohn, Gordon, and Núñez.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

April 20, 2005

*The Honorable Fabian Núñez
Speaker, State of California
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: I am requesting to be excused from Session on legislative business from Monday, April 25–Thursday, April 28, 2005 because I will be in Washington D.C.

I will be meeting with an assistant of Secretary of State Condoleeza Rice on an important immigration matter. I am seeking the extradition of Armando Garcia from Mexico back to California for the execution style murder of 33-year old Los Angeles County Deputy Sheriff David March.

Thank you for your consideration.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 25, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Fran Pavley to replace Assemblymember Mike Gordon on the Assembly Natural Resources Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 25, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Paul Koretz to replace Assemblymember Sally Lieber on the Assembly Revenue and Taxation Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 25, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Dave Jones to replace Assemblymember Rebecca Cohn on the Assembly Utilities and Commerce Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 25, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Hector De La Torre to replace Assemblymember Mike Gordon on the Assembly Health Committee for the Tuesday, April 26 hearing.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Report on Bureau Resources
 Fee Structures and Statutory Obligations
 (Pursuant to Senate Bill 364, Chapter 789, Statutes of 2003)**

Above transmitted report, together with letter of transmittal from Charlene Zettel, Director, Department of Consumer Affairs, dated April 7, 2005, referred by the Speaker to the Committee on Business and Professions.

**Review of the Price Posting and Filing Regulations for
 the 2004 Marketing Season for the Purchase of Processing Strawberries
 (Pursuant to Senate Bill 81, Chapter 18, Statutes of 1985)**

Above transmitted report, together with letter of transmittal from A.J. Yates, Undersecretary, Department of Food and Agriculture, dated April 11, 2005, referred by the Speaker to the Committee on Agriculture.

**Independent Operations and Incident Review Panel on
 the California Institution for Men—March 2005
 (Pursuant to Penal Code Section 6028.3)**

Above transmitted report, together with letter of transmittal from Karen L. Stoll, Executive Director (A), Board of Corrections, dated April 12, 2005, referred by the Speaker to the Committee on Public Safety.

**Reading, Writing, and Mathematics Proficiency of All First-time Freshmen
 (Pursuant to Supplemental Report to the 2001 Budget Act)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated April 8, 2005, referred by the Speaker to the Committee on Higher Education.

**Department Findings from an Audit of the
 San Francisco Regional Water System (SFRWS) Program of Maintenance
 and a Field Investigation of the (SFRWS) Major Facilities
 (Pursuant to Assembly Bill 1823, Chapter 841, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated April 12, 2005, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Comprehensive Drug Court Implementation (CDCI) Act of 1999
(Pursuant to Health and Safety Code Section 11970.2)**

Above transmitted report, together with letter of transmittal from Kathryn P. Jett, Director, Department of Alcohol and Drug Programs, dated April 15, 2005, referred by the Speaker to the Committee on Judiciary.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 324

Assembly Bill No. 378

Assembly Bill No. 662

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 41

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 10

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 12

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 10

Assembly Bill No. 19

Assembly Bill No. 22

Assembly Bill No. 27

Assembly Bill No. 171

Assembly Bill No. 176

Assembly Bill No. 306

Assembly Bill No. 344

Assembly Bill No. 398

Assembly Bill No. 401

Assembly Bill No. 416

Assembly Bill No. 450

Assembly Bill No. 468

Assembly Bill No. 494

Assembly Bill No. 499

Assembly Bill No. 539

Assembly Bill No. 554

Assembly Bill No. 561

Assembly Bill No. 622

Assembly Bill No. 632

Assembly Bill No. 670

Assembly Bill No. 671

Assembly Bill No. 672

Assembly Bill No. 686

Assembly Bill No. 693

Assembly Bill No. 797

Assembly Bill No. 862

Assembly Bill No. 877

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 879 | Assembly Bill No. 1388 |
| Assembly Bill No. 917 | Assembly Bill No. 1390 |
| Assembly Bill No. 924 | Assembly Bill No. 1392 |
| Assembly Bill No. 962 | Assembly Bill No. 1398 |
| Assembly Bill No. 996 | Assembly Bill No. 1416 |
| Assembly Bill No. 1022 | Assembly Bill No. 1430 |
| Assembly Bill No. 1065 | Assembly Bill No. 1454 |
| Assembly Bill No. 1073 | Assembly Bill No. 1466 |
| Assembly Bill No. 1178 | Assembly Bill No. 1486 |
| Assembly Bill No. 1191 | Assembly Bill No. 1503 |
| Assembly Bill No. 1195 | Assembly Bill No. 1546 |
| Assembly Bill No. 1210 | Assembly Bill No. 1608 |
| Assembly Bill No. 1245 | Assembly Bill No. 1618 |
| Assembly Bill No. 1247 | Assembly Bill No. 1632 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1666 | Assembly Bill No. 1728 |
| Assembly Bill No. 1678 | Assembly Bill No. 1741 |
| Assembly Bill No. 1694 | Assembly Bill No. 1757 |
| Assembly Bill No. 1699 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Constitutional Amendment No. 13
- Assembly Constitutional Amendment No. 14

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 24
- Assembly Joint Resolution No. 15

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly Bill No.</i>	<i>Committee</i>
346 -----	Appr.
467 -----	Health
521 -----	Ins.
790 -----	B. & P.
953 -----	Ed.
986 -----	L. Gov. and Trans.
1076 -----	Ed.
1302 -----	B. & P.

1417	-----	Ed.
1455	-----	Jud.
1613	-----	Rev. & Tax.

Assembly Joint

<i>Resolution No.</i>		<i>Committee</i>
21	-----	Trans.

House

<i>Resolution No.</i>		<i>Committee</i>
11	-----	Rls.

Senate Concurrent

<i>Resolution No.</i>		<i>Committee</i>
7	-----	Trans.
8	-----	Trans.
10	-----	Trans.
11	-----	Trans.
12	-----	Trans.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Higher Education, on Thursday, April 28, 2005, upon adjournment of Floor Session.

**AUTHOR'S AMENDMENTS
Committee on Veterans Affairs**

April 25, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:
Assembly Bill No. 1445

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 1445—An act to add Article 2.5 (commencing with Section 150) to Chapter 2 of Part 1 of Division 2 of the Military and Veterans Code, relating to the Military Department.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Human Services**

April 25, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 1645

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 1645—An act to amend Section 4691 of the Welfare and Institutions Code, relating to developmental services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 25, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 1711

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 1711—An act to add Section 1261.3 to the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

April 25, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 1238
Assembly Bill No. 1352

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1238—An act to amend Sections 125000, 125001, 125002, 125050, 125052, 125105, 125200, 125201, 125202, 125220, 125222, 125226, 125227, 125240, 125241, 125260, 125350, 125351, 125352, 125400, 125522, 125524, 125525, 125526, 125527, 125540, 125541, 125550, 125551, 125552, 125560, 125561, 125600, 125700, 125701, 125702, 125703, 125705, 125707, 125708, 125709, 125710, 125711, 125712, 125713, 125714, 125715, and 125716 of, and to amend the heading of Division 11.5 (commencing with Section 125000) of, to add Sections 125203, 125450, and 125500 to, and to repeal Sections 125300 and 125301 of, the Public Utilities Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1352—An act to amend Section 33334.25 of, and to add Section 33334.26 to, the Health and Safety Code relating to redevelopment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Veterans Affairs

April 25, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:
Assembly Bill No. 980

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 980—An act to add Article 4 (commencing with Section 345) to Chapter 5 of Part 1 of Division 2 of the Military and Veterans Code, relating to the state militia.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 25, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 66
Assembly Bill No. 607

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 66—An act to amend, repeal, and add Section 17071.75 of, and to add and repeal Sections 14022.7, 14702, 42238.25, 42238.26, 48003, 48004, and 48012 of, the Education Code, relating to kindergarten, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 607—An act to amend Section 41601 of the Education Code, relating to school finance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 25, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 929

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 929—An act to add Section 1256.5 to, and to add Article 5 (commencing with Section 114897) to Chapter 6 of Part 9 of Division 104 of, the Health and Safety Code, relating to radiation technology.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 25, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 681

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 681—An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Veterans Affairs

April 25, 2005

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:
Assembly Bill No. 30

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GORDON, Chair

ASSEMBLY BILL NO. 30—An act to amend Sections 20069, 20303, 20305, 20822, 20894, 20896, 21023, 21024, 21027, 21029, and 21117 of, and to add Sections 20326, 20772.5, 20823, 20935, 20992, 21029.5, and 31649.6 to, the Government Code, and to amend Sections 215, 228, and 256 of the Military and Veterans Code, relating to public employees' retirement, and making an appropriations therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

April 25, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1562

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 1562—An act to add Section 13985 to, and to add Article 6.5 (commencing with Section 12065) to Chapter 1 of Part 2 of Division 3 of Title 2 of, the Government Code, relating to international trade.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

April 25, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1548

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1548—An act to add and repeal Section 6024.5 of the Food and Agricultural Code, relating to field rodents.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

April 25, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 203

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 203—An act to add Section 19401.5 to the Business and Professions Code, relating to horse racing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Elections and Redistricting

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 513

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 821

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1574

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Housing and Community Development.

JONES, Chair

Above bill ordered to second reading.

Committee on Agriculture

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 621

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

MATTHEWS, Chair

Above bill ordered to second reading.

Committee on Elections and Redistricting

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 1558

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 258

Assembly Bill No. 525

Assembly Bill No. 356

Assembly Bill No. 651

Assembly Bill No. 512

Assembly Bill No. 1321

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills ordered to second reading.

Committee on Appropriations

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1267

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CHU, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 800

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 380

Assembly Bill No. 1458

Assembly Bill No. 1723

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LEVINE, Chair

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, April 21, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 39

GREGORY P. SCHMIDT, Secretary of the Senate

By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 39—Relative to Sexual Assault Awareness Month.

CAUCUS ANNOUNCEMENTS

At 12:10 p.m., Assembly Member Cogdill was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

Speaker pro Tempore Yee announced that the Democratic Caucus would meet in the Assembly Lounge.

RECONVENED

At 12:39 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 110 from the Committee on Higher Education to the Committee on Appropriations;

Assembly Bill No. 158 from the Committee on Elections and Redistricting to the Committee on Utilities and Commerce;

Assembly Bill No. 172 from the Committee on Appropriations to the Committee on Higher Education;

Assembly Bill No. 306 from the Committee on Health to the Committee on Veterans Affairs;

Assembly Bill No. 1094 from the Committee on Local Government to the Committee on Business and Professions;

Assembly Bill No. 1140 from the Committee on Local Government to the Committee on Elections and Redistricting and to be returned to the Committee on Local Government;

Assembly Bill No. 1541 from the Committee on Business and Professions to the Committee on Human Services.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Aging and Long-Term Care to hear Assembly Bill No. 300 on Wednesday, April 27, 2005;

Committee on Education to hear Assembly Bills Nos. 1212 and 1503 on Wednesday, April 27, 2005;

Committee on Insurance to hear Assembly Bill No. 881 on Wednesday, April 27, 2005;

Committee on Veterans Affairs to hear Assembly Bill No. 306 on Tuesday, April 26, 2005.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Frommer was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the following committees to notice hearing of the following bills, pending re-referral to the committee:

Committee on Judiciary, to hear Assembly Bills Nos. 581 and 771, on Tuesday, April 26, 2005;

Committee on Local Government, to hear Assembly Bills Nos. 797 and 1623, on Wednesday, April 27, 2005.

RECESS

By unanimous consent, at 12:42 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Goldberg introduced and welcomed a delegation of Education Ministers from Bosnia Herzegovina who are part of the Civitas Exchange Program. The distinguished members of the delegation included: Zijad Pasich, Minister of Education of the Federation of BiH, Milovan Pecelj, Minister of Education of Republika Srpska, Jozo Marich, Minister of Education of West Herzegovina Canton, and Rahela Dzidich, Executive Director of Civitas @Bosnia and Herzegovina.

* * *

Assembly Member Koretz introduced and welcomed the leadership team from Kaiser Permanente in Los Angeles. The team included: Barry Wolfman, Senior Vice President and Service Area Manager, Metropolitan Los Angeles; Dr. Howard Fullman, Medical Director, West Los Angeles Medical Center; Dr. Thomas Godfrey, Medical Director, Los Angeles Medical Center; Mehera Christian, Public Affairs Director, West Los Angeles Medical Center; and Gail Koretz, Public Affairs Director, Los Angeles Medical Center.

* * *

Assembly Member Wyland introduced, congratulated, and welcomed Ibiyinka Alao of Nigeria, the first place winner of the United Nations International Art Competition.

RECONVENED

At 12:45 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE**ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 378, ordered to third reading;

Assembly Bills Nos. 324 and 662, ordered to the Consent Calendar.

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 737, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 208—An act to amend Sections 48306 and 48308 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 51—An act to amend Section 8152 of the Education Code, relating to apprenticeships.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 52—An act to amend Section 19577 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 57—An act to amend Section 1773.1 of the Labor Code, relating to public works.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 240—An act to amend Section 3003 of the Penal Code, relating to parole.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 271—An act to add Section 19060 to the Government Code, relating to state employees.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 414—An act to amend Section 1771.7 of the Labor Code, relating to labor compliance programs.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 507—An act to add Chapter 3.34 (commencing with Section 1596.55) to Division 2 of the Health and Safety Code, and to amend Section 11105 of the Penal Code, relating to criminal history checks.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 795—An act relating to peace officers, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 834—An act to amend Sections 19412, 19549.6, and 19610.8 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1374—An act to amend Section 12975.9 of the Insurance Code, relating to seismic safety.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1518—An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1594—An act to add Section 852 of the Military and Veterans Code, relating to military, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1669—An act to amend Section 12960 of the Government Code, relating to employment.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 83—An act to amend Sections 116030 and 116045 of the Health and Safety Code, relating to swimming pools.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 270—An act to amend Section 66907.7 of the Government Code, relating to the California Tahoe Conservancy.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 280—An act to amend Sections 171.5 and 602 of the Penal Code, relating to harbors.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 303—An act to amend Sections 313 and 313.5 of the Business and Professions Code, relating to consumer affairs.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 348—An act to amend Sections 14839 and 14839.1 of the Government Code, relating to small business programs.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 370—An act to add Section 3137 to the Business and Professions Code, relating to optometry.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 376—An act to add Section 148.8 to the Penal Code, relating to false reports.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 544—An act to amend Section 1704 of the Insurance Code, relating to insurance solicitors.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 604—An act to add Section 14001 to, and to repeal Sections 15037 and 15037.1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 752—An act to amend and repeal Section 8670.37.58 of the Government Code, relating to oil spills.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 787—An act to add Section 538h to the Penal Code, relating to crime.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 806—An act to add Chapter 5.8 (commencing with Section 13489) to Title 6 of Part 4 of the Penal Code, relating to high technology crimes.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 823—An act to amend Sections 456, 457, and 458 of the Military and Veterans Code, relating to military and veterans.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 837—An act to add Section 10110.5 to, the Insurance Code, relating to insurance.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1048—An act to amend Section 15242 of the Vehicle Code, relating to motor carriers.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1150—An act to amend Sections 1992 and 1994 of, to add Sections 1993.1 and 1993.2 to, and to repeal and add Section 1993 of, the Code of Civil Procedure, and to add Section 26744.5 to the Government Code, relating to civil warrants.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1303—An act to amend Sections 41329.52, 41329.55, 41329.56, and 41329.57 of the Education Code, and to add Section 63049.68 to the Government Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1376—An act to amend Section 1428 of the Health and Safety Code, relating to long-term health care facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1743—An act to amend Section 17552 of the Family Code, relating to child support.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 690—An act to add Section 323 to the Military and Veterans Code, relating to military compensation.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1346—An act to amend Section 1250 of the Health and Safety Code, relating to health facilities.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1637—An act to amend Sections 27000 and 42001 of, and to add Section 42001.20 to, the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 393—An act to amend Section 67055 of the Food and Agricultural Code, relating to agriculture.

Bill read second time; amendments proposed by the Committee on Agriculture read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 8—An act to amend Section 14105.436 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 436—An act to amend Section 14105.48 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1625—An act to add Section 7550.7 to the Government Code, relating to state reports.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 635—An act to amend Section 19961 of, and to add Section 19961.05 to, the Business and Professions Code, relating to gambling.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 794—An act to amend Section 6254 of the Government Code, relating to public records.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1519—An act to amend Sections 26202.6, 26206.8, 34090.6, 34090.8, 53160, and 53162 of, the Government Code, relating to government records.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1335—An act to amend Sections 22500, 22502, 22525, 22528, 22535, 22566, 22567, 22569, 22585, 22587, and 22591 of, and to add Sections 22531.1 and 22541 to, the Streets and Highways Code, relating to public works.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 455—An act to amend Section 49600 of the Education Code, relating to at-risk pupils.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 882—An act to amend Section 17316 of the Education Code, relating to school facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 581—An act to amend Section 7110.5 of the Business and Professions Code, and to amend Sections 1771.2 and 1776 of, and to add Section 1726.5 to, the Labor Code, relating to public works.

Bill read second time; amendments proposed by the Committee on Labor and Employment read and adopted; bill ordered reprinted and to be re-referred to the Committee on Judiciary.

ASSEMBLY BILL NO. 551—An act to amend Section 1812.5095 of the Civil Code, and to amend Section 687.2 of the Unemployment Insurance Code, relating to employment agencies.

Bill read second time; amendments proposed by the Committee on Labor and Employment read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 858—An act to amend Sections 11999.5, 11999.9, 11999.10, and 11999.12 of the Health and Safety Code, and Sections 1210, 1210.1, and 3063.1 of, the Penal Code, relating to substance abuse and crime prevention, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 984—An act to add Section 1714.43 to the Civil Code, relating to liability.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Agriculture.

ASSEMBLY BILL NO. 998—An act to amend Section 11160 of the Penal Code, relating to reporting.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 766—An act to add Chapter 34 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to the Internet.

Bill read second time; amendments proposed by the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media read and adopted; bill ordered reprinted and to be re-referred to the Committee on Judiciary.

ASSEMBLY BILL NO. 405—An act to add Section 17610.1 to the Education Code, relating to schoolsites.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 14—An act to amend Section 1352 of the Civil Code and to add Section 71.5 to the Revenue and Taxation Code, relating to common interest developments.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted; bill ordered reprinted and to be returned to the second reading file.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 51

Assembly Bill No. 1374

Assembly Bill No. 57

Assembly Bill No. 1518

Assembly Bill No. 414

Assembly Bill No. 1594

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 280

Assembly Bill No. 1376

Assembly Bill No. 303

Assembly Bill No. 1743

Assembly Bill No. 604

Assembly Bill No. 1519

Assembly Bill No. 752

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

BILLS REMOVED FROM CONSENT CALENDAR

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Bill No. 837, on request of Assembly Member Benoit.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY CONCURRENT RESOLUTION NO. 27 (La Malfa)—Relative to National Engineers Week.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—75

Aghazarian	Dymally	Laird	Plescia
Arambula	Emmerson	Leno	Richman
Baca	Evans	Leslie	Ridley-Thomas
Bass	Frommer	Levine	Runner
Benoit	Garcia	Lieber	Ruskin
Berg	Goldberg	Liu	Saldaña
Bermúdez	Hancock	Matthews	Salinas
Blakeslee	Harman	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Calderon	Horton, Jerome	Montañez	Torrigo
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Houston	Mullin	Umberg
Chavez	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Karnette	Nava	Walters
Coto	Keene	Negrete McLeod	Wolk
Daucher	Klehs	Niello	Wyland
De La Torre	Koretz	Parra	Yee
DeVore	La Malfa	Pavley	

NOES—None

Above resolution ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 620 (Negrete McLeod)—An act to amend Sections 1335, 1336, 1337, and 1341 of the Penal Code, relating to criminal proceedings.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Emmerson	Leno	Richman
Arambula	Evans	Leslie	Ridley-Thomas
Baca	Frommer	Levine	Runner
Bass	Garcia	Lieber	Ruskin
Berg	Goldberg	Liu	Saldaña
Bermúdez	Hancock	Matthews	Salinas
Blakeslee	Harman	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Calderon	Horton, Jerome	Montañez	Torrigo
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Houston	Mullin	Umberg
Chavez	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Karnette	Nava	Walters
Coto	Keene	Negrete McLeod	Wolk
Daucher	Klehs	Niello	Wyland
De La Torre	Koretz	Parra	Yee
DeVore	La Malfa	Pavley	
Dymally	Laird	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1158 (Lieber)—An act to amend Section 425.16 of the Code of Civil Procedure, relating to civil actions.

Bill read third time.

Motion to Amend by Assembly Member Lieber

Assembly Member Lieber moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

ASSEMBLY BILL NO. 643 (Negrete McLeod)—An act to amend Section 3533 of the Government Code, relating to state employees.

Bill read third time, and passed by the following vote:

AYES—51

Arambula	De La Torre	Laird	Pavley
Baca	Dymally	Leno	Plescía
Bass	Evans	Levine	Ridley-Thomas
Berg	Frommer	Lieber	Ruskin
Bermúdez	García	Liu	Saldaña
Blakeslee	Goldberg	Matthews	Salinas
Bogh	Hancock	Montañez	Strickland
Calderon	Horton, Jerome	Mullin	Torrico
Canciamilla	Horton, Shirley	Nakanishi	Umberg
Chan	Jones	Nation	Vargas
Chavez	Karnette	Nava	Wolk
Chu	Kleh	Negrete McLeod	Yee
Coto	Koretz	Parra	

NOES—23

Aghazarian	Harman	Leslie	Runner
Benoit	Haynes	Maze	Spitzer
Cogdill	Houston	McCarthy	Villines
Daucher	Huff	Mountjoy	Walters
DeVore	Keene	Niello	Wyland
Emmerson	La Malfa	Richman	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 643: Assembly Member Shirley Horton from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 982 (Laird)—An act to amend Section 76355 of the Education Code relating to community colleges.

Bill read third time, and passed by the following vote:

AYES—72

Aghazarian	Dymally	La Malfa	Pavley
Arambula	Emmerson	Laird	Plescía
Baca	Evans	Leno	Richman
Bass	Frommer	Leslie	Ridley-Thomas
Benoit	García	Levine	Runner
Berg	Goldberg	Lieber	Ruskin
Bermúdez	Hancock	Liu	Saldaña
Bogh	Harman	Matthews	Salinas
Calderon	Haynes	Maze	Spitzer
Canciamilla	Horton, Jerome	McCarthy	Torrico
Chan	Horton, Shirley	Mountjoy	Tran
Chavez	Houston	Mullin	Umberg
Chu	Huff	Nakanishi	Vargas
Cogdill	Jones	Nation	Villines
Coto	Karnette	Nava	Walters
Daucher	Keene	Negrete McLeod	Wolk
De La Torre	Kleh	Niello	Wyland
DeVore	Koretz	Parra	Yee

NOES—1

Strickland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 11 (De La Torre)—An act to add Section 36516.3 to the Government Code, relating to city councils.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	DeVore	Leno	Richman
Arambula	Dymally	Levine	Ridley-Thomas
Baca	Emmerson	Lieber	Runner
Bass	Evans	Liu	Ruskin
Benoit	Frommer	Matthews	Saldaña
Berg	Garcia	McCarthy	Salinas
Bermúdez	Goldberg	Montañez	Spitzer
Blakeslee	Hancock	Mountjoy	Strickland
Bogh	Harman	Mullin	Torrigo
Calderon	Horton, Shirley	Nakanishi	Tran
Canciamilla	Houston	Nation	Umberg
Chan	Jones	Nava	Vargas
Chavez	Karnette	Negrete McLeod	Villines
Chu	Keene	Niello	Walters
Cogdill	Klehs	Oropeza	Wolk
Coto	Koretz	Parra	Wyland
Daucher	La Malfa	Pavley	Yee
De La Torre	Laird	Plescia	

NOES—2

Leslie	Maze
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Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 11: Assembly Member Jerome Horton from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 341 (Huff)—An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 3260 and 3260.1 of the Civil Code, and to amend Sections 7107 and 10262.5 of the Public Contract Code, relating to works of improvement.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Dymally	Leno	Plescia
Arambula	Emmerson	Leslie	Richman
Baca	Evans	Levine	Ridley-Thomas
Bass	Frommer	Lieber	Runner
Benoit	Garcia	Liu	Ruskin
Berg	Hancock	Matthews	Saldaña
Bermúdez	Harman	Maze	Salinas
Blakeslee	Haynes	McCarthy	Spitzer
Bogh	Horton, Jerome	Montañez	Strickland
Calderon	Horton, Shirley	Mountjoy	Torrigo
Canciamilla	Houston	Mullin	Tran
Chan	Huff	Nakanishi	Umberg
Chavez	Jones	Nation	Vargas
Chu	Karnette	Nava	Villines
Cogdill	Keene	Negrete McLeod	Walters
Coto	Klehs	Niello	Wolk
Daucher	Koretz	Oropeza	Wyland
De La Torre	La Malfa	Parra	Yee
DeVore	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1495 (Canciamilla)—An act to amend Section 415.46 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read third time, and passed by the following vote:

AYES—69

Aghazarian	Emmerson	Leno	Ridley-Thomas
Arambula	Evans	Leslie	Runner
Baca	Frommer	Levine	Ruskin
Benoit	Garcia	Lieber	Saldaña
Berg	Hancock	Liu	Salinas
Bermúdez	Harman	Matthews	Spitzer
Blakeslee	Haynes	Maze	Torrigo
Bogh	Horton, Jerome	Montañez	Tran
Calderon	Horton, Shirley	Mountjoy	Umberg
Canciamilla	Houston	Mullin	Vargas
Chan	Huff	Nakanishi	Villines
Chavez	Jones	Nation	Walters
Chu	Karnette	Nava	Wolk
Cogdill	Keene	Negrete McLeod	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	
DeVore	La Malfa	Pavley	
Dymally	Laird	Richman	

NOES—2

Plescia Strickland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 252 (Chavez)—An act to amend Section 8778 of the Government Code, relating to arts.

Bill read third time, and passed by the following vote:

AYES—63

Aghazarian	Dymally	Laird	Plescia
Arambula	Emmerson	Leno	Richman
Baca	Evans	Levine	Ridley-Thomas
Bass	Frommer	Lieber	Runner
Benoit	Garcia	Liu	Ruskin
Berg	Goldberg	Matthews	Saldaña
Bermúdez	Hancock	McCarthy	Salinas
Blakeslee	Harman	Montañez	Spitzer
Bogh	Horton, Jerome	Mullin	Strickland
Calderon	Horton, Shirley	Nakanishi	Torrigo
Canciamilla	Houston	Nation	Umberg
Chan	Jones	Nava	Vargas
Chavez	Karnette	Negrete McLeod	Wolk
Chu	Klehs	Oropeza	Wyland
Coto	Koretz	Parra	Yee
Daucher	La Malfa	Pavley	

NOES—11

Cogdill	Keene	Mountjoy	Villines
DeVore	Leslie	Niello	Walters
Haynes	Maze	Tran	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1122 (Wyland)—An act to amend Section 672 of the Insurance Code, relating to auto insurance.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Dymally	Leslie	Richman
Arambula	Emmerson	Levine	Ridley-Thomas
Baca	Evans	Lieber	Runner
Bass	Frommer	Liu	Ruskin
Benoit	Garcia	Matthews	Saldaña
Berg	Harman	Maze	Salinas
Bermúdez	Haynes	McCarthy	Spitzer
Blakeslee	Horton, Jerome	Montañez	Strickland
Bogh	Horton, Shirley	Mountjoy	Torrico
Calderon	Houston	Mullin	Tran
Canciamilla	Huff	Nakanishi	Umberg
Chan	Jones	Nation	Vargas
Chavez	Karnette	Nava	Villines
Chu	Keene	Negrete McLeod	Walters
Cogdill	Klehs	Niello	Wolk
Coto	Koretz	Oropeza	Wyland
Daucher	La Malfa	Parra	Yee
De La Torre	Laird	Pavley	
DeVore	Leno	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1734 (Committee on Insurance)—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and presented by Assembly Member Vargas, and passed by the following vote:

AYES—45

Arambula	Dymally	Levine	Ridley-Thomas
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Montañez	Torrico
Calderon	Horton, Jerome	Mullin	Umberg
Canciamilla	Jones	Nation	Vargas
Chan	Karnette	Nava	Wolk
Chavez	Klehs	Negrete McLeod	Yee
Chu	Koretz	Oropeza	
Coto	Laird	Parra	
De La Torre	Leno	Pavley	

NOES—31

Aghazarian	Garcia	Leslie	Runner
Benoit	Harman	Maze	Spitzer
Blakeslee	Haynes	McCarthy	Strickland
Bogh	Horton, Shirley	Mountjoy	Tran
Cogdill	Houston	Nakanishi	Villines
Daucher	Huff	Niello	Walters
DeVore	Keene	Plescia	Wyland
Emmerson	La Malfa	Richman	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1188 (Wolk)—An act to amend Sections 11162 and 11166.01 of the Penal Code, and to amend Section 15630 of the Welfare and Institutions Code, relating to abuse.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Hancock	Matthews	Salinas
Bermúdez	Harman	Maze	Spitzer
Blakeslee	Haynes	McCarthy	Strickland
Bogh	Horton, Jerome	Montañez	Torrico
Calderon	Horton, Shirley	Mountjoy	Tran
Canciamilla	Houston	Mullin	Umberg
Chan	Huff	Nakanishi	Vargas
Chavez	Jones	Nation	Villines
Chu	Karnette	Nava	Walters
Cogdill	Keene	Negrete McLeod	Wolk
Coto	Klehs	Niello	Wyland
Daucher	Koretz	Parra	Yee
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescía	

NOES—None

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 1:07 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Spitzer, Strickland, Walters, DeVore, and Haynes introduced and welcomed more than 50 high school students participating in the California Republican Women's Federation Advocacy Day Program.

RECONVENED

At 1:08 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY CONCURRENT RESOLUTION NO. 41 (Negrete McLeod)—
Relative to California Peace Officers' Memorial Day.

Resolution read.

Members Made Coauthors of
Assembly Concurrent Resolution No. 41

Assembly Member Negrete McLeod was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 41.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Bass, Benoit, Berg, Blakeslee, Bogh, Calderon, Canciamilla, Chavez, Chu, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Frommer, Garcia, Goldberg, Hancock, Harman, Haynes, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Keene, Klehs, Koretz, La Malfa, Laird, Leslie, Levine, Lieber, Liu, Maze, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Niello, Oropeza, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Umberg, Vargas, Villines, Walters, and Wyland.

Request for Unanimous Consent

Assembly Member Negrete McLeod was granted unanimous consent to take up Assembly Concurrent Resolution No. 41, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 41, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 41—Relative to California Peace Officers' Memorial Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS

By unanimous consent, at 1:12 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Umberg introduced Councilman Jose Solorio and Jill Arthur, of the City of Santa Ana.

RECONVENED

At 1:13 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF SENATE BILL NO. 737 BY UNANIMOUS CONSENT

Assembly Member Frommer was granted unanimous consent to take up Senate Bill No. 737 without reference to file, for purpose of consideration.

SENATE BILL NO. 737 (Romero)—An act to amend Section 11552 of, to add Article 14 (commencing with Section 12838) to Chapter 1 of Part 2.5 of Division 3 of Title 2 of, and to repeal Sections 11560, 11563.1, 12811, and 12811.1 of, the Government Code, and to amend Sections 2800, 2802, 2803, 2804, 2806, 2807, 2808, 2809, 2810, 2810.5, 2811, 2815, 2816, 3041, 3041.1, 5000, 5001, 5003.5, 5050, 5052, 5054, 5055, 5057, 5075, 5076.1, 6024, 6025, 6026, 6030, 6050, 7518, 13600, 13601, 13602, 13603, 13810, and 14204 of, to amend the headings of Chapter 1 (commencing with Section 5000), Chapter 2 (commencing with Section 5050), Chapter 3 (commencing with Section 5075), Chapter 4 (commencing with Section 6001), and Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of, and to amend the heading of Title 4.5 (commencing with Section 13600) of Part 4, of, and to add Sections 5075.1, 5075.6, and 6126.6 to, and to repeal Sections 2036, 2038, 2043.3, 2045.3, 2046.3, 2048.3, 2048.7, 2079, 5051, 5051.5, 5053, 5067, 5082, 6001, 6003, and 6004 of, and to repeal Article 3 (commencing with Section 2400) of Chapter 2 of Title 1 of Part 3 of, the Penal Code, and to amend Sections 1000, 1703, 1710, 1711, 1712, 1713, 1714, 1716, 1719, 1720, 1723, 1725, 1766, 1798, 3150, 3151, 3158, 3300, and 3309 of, and to repeal Sections 1717, 1718, 1721, 1722, and 3157 of, and to repeal and add Section 1798.5 the Welfare and Institutions Code, relating to reorganizing the Youth and Adult Correctional Agency, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Leno.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—60

Aghazarian	Evans	Levine	Pavley
Arambula	Frommer	Lieber	Richman
Bass	Goldberg	Liu	Ridley-Thomas
Berg	Hancock	Matthews	Runner
Blakeslee	Horton, Shirley	Maze	Ruskin
Calderon	Houston	McCarthy	Saldaña
Canciamilla	Huff	Montañez	Salinas
Chan	Jones	Mountjoy	Torrico
Chu	Karnette	Mullin	Tran
Coto	Keene	Nakanishi	Umberg
Daucher	Klehs	Nation	Villines
De La Torre	Koretz	Nava	Walters
DeVore	Laird	Niello	Wolk
Dymally	Leno	Oropeza	Wyland
Emmerson	Leslie	Parra	Yee

NOES—11

Baca	Bogh	Haynes	Spitzer
Benoit	Cogdill	La Malfa	Strickland
Bermúdez	Garcia	Plescia	

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—60

Aghazarian	Evans	Levine	Pavley
Arambula	Frommer	Lieber	Richman
Bass	Goldberg	Liu	Ridley-Thomas
Berg	Hancock	Matthews	Runner
Blakeslee	Horton, Shirley	Maze	Ruskin
Calderon	Houston	McCarthy	Saldaña
Canciamilla	Huff	Montañez	Salinas
Chan	Jones	Mountjoy	Torrico
Chu	Karnette	Mullin	Tran
Coto	Keene	Nakanishi	Umberg
Daucher	Klehls	Nation	Villines
De La Torre	Koretz	Nava	Walters
DeVore	Laird	Niello	Wolk
Dymally	Leno	Oropeza	Wyland
Emmerson	Leslie	Parra	Yee

NOES—11

Baca	Bogh	Haynes	Spitzer
Benoit	Cogdill	La Malfa	Strickland
Bermúdez	Garcia	Plescia	

Bill ordered transmitted to the Senate immediately.

**At 1:17 p.m., Assistant Speaker pro Tempore Sally Lieber,
22nd District, presiding**

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

HOUSE RESOLUTION NO. 10 (La Malfa)—Relative to Denim Day California.
Resolution read.

Members Made Coauthors of House Resolution No. 10

Assembly Member La Malfa was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 10.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehls, Koretz, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member La Malfa was granted unanimous consent to take up House Resolution No. 10, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of House Resolution No. 10, as Amended**HOUSE RESOLUTION NO. 10**—Relative to Denim Day California.

Resolution read, as amended, and adopted.

ASSEMBLY BILL NO. 866 (Yee)—An act to amend Section 20440 of the Elections Code, relating to the Code of Fair Campaign Practices.

Bill read third time, and passed by the following vote:

AYES—47

Arambula	De La Torre	Leno	Pavley
Baca	Dymally	Levine	Richman
Bass	Evans	Lieber	Ridley-Thomas
Berg	Frommer	Liu	Ruskin
Bermúdez	Goldberg	Matthews	Saldaña
Calderon	Hancock	Montañez	Salinas
Canciamilla	Horton, Jerome	Mullin	Torrico
Chan	Jones	Nation	Umberg
Chavez	Karnette	Nava	Vargas
Chu	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Oropeza	Yee
Daucher	Laird	Parra	

NOES—27

Aghazarian	Harman	Maze	Spitzer
Benoit	Haynes	McCarthy	Strickland
Blakeslee	Houston	Mountjoy	Tran
Bogh	Huff	Nakanishi	Villines
Cogdill	Keene	Niello	Walters
DeVore	La Malfa	Plescia	Wyland
Emmerson	Leslie	Runner	

Bill ordered transmitted to the Senate.

At 1:25 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills**ASSEMBLY BILL NO. 1464 (McCarthy)**—An act to amend Section 21091 of the Public Resources Code, relating to environmental quality.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)***ASSEMBLY BILL NO. 1130 (Ruskin)**—An act to amend Section 4519.7 of the Welfare and Institutions Code, relating to developmental services.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)***ASSEMBLY BILL NO. 301 (Committee on Business and Professions)**—An act to amend Section 11011.15 of the Government Code, relating to state property.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

AYES—75

Aghazarian	Emmerson	Leno	Plescia
Arambula	Evans	Leslie	Richman
Baca	Frommer	Levine	Ridley-Thomas
Benoit	Garcia	Lieber	Runner
Berg	Goldberg	Liu	Ruskin
Bermúdez	Hancock	Matthews	Saldaña
Blakeslee	Harman	Maze	Salinas
Bogh	Haynes	McCarthy	Spitzer
Calderon	Horton, Jerome	Montañez	Strickland
Canciamilla	Horton, Shirley	Mountjoy	Torrico
Chan	Houston	Mullin	Tran
Chavez	Huff	Nakanishi	Umberg
Chu	Jones	Nation	Vargas
Cogdill	Karnette	Nava	Villines
Coto	Keene	Negrete McLeod	Walters
Daucher	Kleh	Niello	Wolk
De La Torre	Koretz	Oropeza	Wyland
DeVore	La Malfa	Parra	Yee
Dymally	Laird	Pavley	

NOES—None

SPECIAL RECOGNITION

The Members of the Assembly joined Assembly Member Leno in extending best wishes to Assembly Member Lieber on the occasion of her birthday.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee schedule was announced:

Committee on Elections and Redistricting, today, upon adjournment of Floor session, in Room 444;

Committee on Public Employees, Retirement and Social Security, today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room;

Committee on Natural Resources, today, at 1:45 p.m.;

Budget Subcommittee No. 1 on Health and Human Services today, in Room 437.

ADJOURN IN MEMORY

Assembly Member Emmerson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mark Robertson, of Claremont.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Thomas Soji Akiyama, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Wyland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Andrew Thibeault, of Carlsbad.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Aghazarian and Blakeslee were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Russell H. Clagg, of Nipomo.

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Megan Cope, of San Jacinto.

Speaker pro Tempore Yee on behalf of Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Former L.A. County Supervisor Deane Dana, of Los Angeles County.

Assembly Member Karnette was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Anthony J. Davis, Jr., of Long Beach.

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Francis Ritter, of Reseda.

Speaker pro Tempore Yee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sister Mary of Nazareth (Mary Caroline Lasken), of the Catholic Community of Cloistered Nuns of St. Dominic, of Menlo Park.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gary H. Magnelli, of Benicia; Ralph Mack, of Dixon; Charlotte Loftis, of Fairfield; Dale Marlow Winger, of Suisun City; and Raymond Frank Hamilton, of Vacaville.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Concurrent Resolution No. 27, Concurrence: Bermúdez, Blakeslee, Chan, Chu, De La Torre, Houston, Jones, Koretz, Ruskin, and Wyland—Aye.

Assembly Bill No. 620: Houston, Jones, Plescia, and Strickland—Aye.

Assembly Bill No. 643: Bogh, Garcia, Jones, Plescia, and Strickland—Aye; Aghazarian, Houston, Keene, La Malfa, and Villines—No.

Assembly Bill No. 982: Houston—Aye.

Assembly Bill No. 11: Bermúdez, Canciamilla, and Houston—Aye.

Assembly Bill No. 341: Hancock—Aye.

Assembly Bill No. 1495: Aghazarian, Chan, Hancock, Shirley Horton, and La Malfa—Aye; Plescia and Strickland—No.

Assembly Bill No. 252: Aghazarian, Houston, McCarthy, Plescia, and Runner—Aye.

Assembly Bill No. 1122: Leno—Aye.

Assembly Bill No. 1734: Jones and Koretz—Aye; Nakanishi—No.

Assembly Bill No. 1188: Wyland—Aye.

Senate Bill No. 737 and Urgency: Maze, Montañez, Nation, and Wyland—Aye; Benoit, Bermúdez, Bogh, Garcia, Plescia, and Strickland—No.

Assembly Bill No. 866: Bermúdez and Montañez—Aye.
Consent Calendar: Yee—Aye.

MOTION TO ADJOURN

At 1:31 p.m., Assembly Member Lieber moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.
 Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:32 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 56—Montanez (Principal coauthor: Chu). Relative the California State University.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 25, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 4
 Assembly Concurrent Resolution No. 32
 Assembly Concurrent Resolution No. 35

And reports the same correctly enrolled, and presented to the Secretary of State on the 25th day of April, 2005, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

April 25, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 87
 Assembly Bill No. 802
 Assembly Bill No. 1665

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 87—An act to amend Section 4005 of the Fish and Game Code, relating to trapping licenses.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 802—An act to amend Section 65302 of the Government Code, relating to local planning.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1665—An act to amend Section 10295 of the Public Contract Code, and to amend Section 8551 of, to add Part 6 (commencing with Section 9600) and Part 7 (commencing with Section 9660) to Division 5 of, the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

April 25, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 196
 Assembly Bill No. 1144
 Assembly Bill No. 1254

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 196—An act to add Sections 99183, 99184, and 99185 to, and to repeal and add Sections 99180, 99181, and 99182 of, the Education Code, relating to postsecondary education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1144—An act to amend Sections 115725, 115730, 115735, 115745, and 115750 of the Health and Safety Code, relating to playground safety.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1254—An act to add Article 6.5 (commencing with Section 8234) to Chapter 2 of Part 6 of the Education Code, relating to preschool.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Housing and Community Development

April 25, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 712	Assembly Bill No. 1461
Assembly Bill No. 770	Assembly Bill No. 1606

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 712—An act to amend Section 65863 of the Government Code, relating to land use.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 770—An act to amend Sections 1369.510 and 1373 of, to add Section 1363.7 to, and to add Chapter 11 (commencing with Section 1380.010) to Title 6 of Part 4 of Division 2 of, the Civil Code, relating to common interest developments, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1461—An act to amend Sections 50825 and 50826 of, and to amend, repeal, and add Sections 50832 and 50833 of, the Health and Safety Code, relating to community development.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1606—An act relating to redevelopment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

April 25, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 273

Assembly Bill No. 346

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 273—An act to add Section 25621 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 346—An act relating to state claims.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

April 25, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 310

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 310—An act to add Sections 1714.12 and 1714.13 to the Civil Code, relating to investments.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

April 25, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:

Assembly Bill No. 1147

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1147—An act to add Division 26 (commencing with Section 81100) to the Food and Agricultural Code, relating to industrial hemp.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Insurance

April 25, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 521

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 521—An act relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

April 25, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 371

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 371—An act to amend Section 5415 of the Health and Safety Code, and to amend Sections 13260, 13521, and 13523 of, and to add Sections 13552.1, 13552.5, 13555.5, and 13557 to, the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

April 25, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 1539

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1539—An act to amend Section 8205 of the Government Code, relating to notaries public.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

April 25, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

- Assembly Bill No. 467
- Assembly Bill No. 1131
- Assembly Bill No. 1316

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 467—An act relating to Medi-Cal.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1131—An act to amend Section 32126 of, and to repeal and amend Section 32121 of, the Health and Safety Code, relating to health care districts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1316—An act to add and repeal Section 129771 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Rules reports:

- Assembly Concurrent Resolution No. 3

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

Committee on Insurance

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Insurance reports:

- Assembly Bill No. 608

With amendments with the recommendation: Amend, and do pass, as amended.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

- Assembly Bill No. 578
- Assembly Bill No. 679

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bills ordered to second reading.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1149

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 626

Assembly Bill No. 1047

Assembly Bill No. 688

Assembly Bill No. 1698

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 779

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1126

Assembly Bill No. 1180

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 496

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

JONES, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 771

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

HANCOCK, Chair

Above bill re-referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

Senate Chamber, April 25, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 17

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, April 25, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 39

Senate Bill No. 389

Senate Bill No. 48

Senate Bill No. 647

Senate Bill No. 268

Senate Bill No. 720

Senate Bill No. 276

Senate Bill No. 983

Senate Bill No. 295

Senate Bill No. 987

Senate Bill No. 370

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 25, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 253

Senate Bill No. 979

Senate Bill No. 496

Senate Bill No. 982

Senate Bill No. 742

Senate Bill No. 1047

Senate Bill No. 784

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 25, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 19

Senate Concurrent Resolution No. 28

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 39—An act to amend Section 3206 of the Elections Code, relating to absentee voting.

SENATE BILL NO. 48—An act to amend Section 12316 of the Penal Code, relating to ammunition.

SENATE BILL NO. 268—An act to amend Section 53601.7 of the Government Code, relating to local agencies.

SENATE BILL NO. 276—An act to add Section 23058 to the Business and Professions Code, relating to alcoholic beverages.

SENATE BILL NO. 295—An act to amend Sections 6047.13, 6047.29, and 6047.68 of, and to amend and renumber Section 6047.35 of, the Food and Agricultural Code, relating to agriculture, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 370—An act to amend Sections 12223 and 15627 of, and to add Section 19253 to, the Elections Code, relating to elections.

SENATE BILL NO. 389—An act to add Section 13083 to the Financial Code, relating to automated teller machines.

SENATE BILL NO. 647—An act to amend Sections 3063.5 and 11105 of the Penal Code, relating to parole revocation, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 720—An act to amend Section 1218 of the Code of Civil Procedure, to amend Section 6380 of the Family Code, and to amend Section 136.2 of the Penal Code, relating to court orders.

SENATE BILL NO. 983—An act to amend Sections 66452.8 and 66452.9 of the Government Code, relating to subdivided lands.

SENATE BILL NO. 987—An act to amend Sections 131010, 131100, 131103, 131241, and 131285 of the Public Utilities Code, relating to transportation.

SENATE BILL NO. 253—An act to amend Section 798.3 of the Civil Code, to amend Sections 65583, 65584.1, and 66016 of, and to repeal Sections 65586 and 65588.1 of, the Government Code, and to amend Sections 18070.3, 18070.6, 18400.3, and 18867 of, and to repeal Section 333324.20 of, the Health and Safety Code, relating to housing.

SENATE BILL NO. 496—An act to amend Section 14132.47 of the Welfare and Institutions Code, relating to Medi-Cal.

SENATE BILL NO. 742—An act to amend Section 3 of Chapter 1086 of the Statutes of 1970, relating to tidelands and submerged lands of the City of Eureka.

SENATE BILL NO. 784—An act to amend Section 82015 of the Government Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 979—An act to amend Sections 115843.3 and 115843.5 of the Health and Safety Code, relating to reservoirs, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 982—An act to amend Section 25197.1 of the Health and Safety Code, relating to hazardous waste.

SENATE BILL NO. 1047—An act to amend Section 7711 of the Public Utilities Code, relating to railroad corporations.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 19—Relative to the Robert Mondavi Highway.

SENATE CONCURRENT RESOLUTION NO. 28—Relative to Nathan Shapell Highway.

INTRODUCTION OF GUESTS

Assembly Member Haynes, of the 66th Assembly District, introduced Riverside and San Diego Counties Valley Center Republican Women members: Felicia Anne Penney, Sophomore, Samatha Parsely, Sophomore, Heather Hayes, Junior, Madeline Hayes, Junior, Lauren Nybye, Junior, Jennifer Stinson, Junior, Erica Tobin, Junior, President of our Teenage Republican Club, Peg Ohlson, President, Valley Center Republican Women, and Marcia Townsend, Past President, VCFRW.

Assembly Member Nation, of the 6th Assembly District, introduced Nicholas Hromalik.

Assembly Member Leno, of the 13th Assembly District, introduced fourth and fifth grade students from Cabrillo Elementary School in San Francisco.

ADJOURNMENT

At 5:10 p.m., pursuant to the motion by Assembly Member Lieber, the Assembly adjourned until 7 a.m., Tuesday, April 26, 2005, out of respect to the memory of Mark Robertson, on motion of Assembly Member Emmerson; out of respect to the memory of Thomas Soji Akiyama, on motion of Assembly Member Goldberg; out of respect to the memory of Andrew Thibeault, on motion of Assembly Member Wyland; out of respect to the memory of Russell H. Clagg, on motion of Assembly Members Aghazarian and Blakeslee; out of respect to the memory of Megan Cope, on motion of Assembly Member Bogh; out of respect to the memory of Former L.A. County Supervisor Deane Dana, on motion of Speaker pro Tempore Yee on behalf of Assembly Member Gordon; out of respect to the memory of Sgt. Anthony J. Davis, Jr., on motion of Assembly Member Karnette; out of respect to the memory of Robert Francis Ritter, on motion of Assembly Member Levine; out of respect to the memory of Sister Mary of Nazareth (Mary Caroline Lasken), on motion of Speaker pro Tempore Yee; and out of respect to the memory of Gary H. Magnelli, Ralph Mack, Charlotte Loftis, Dale Marlow Winger and Raymond Frank Hamilton, on motion of Assembly Member Wolk.

LELAND Y. YEE, Speaker pro Tempore

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 25, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
8	0512158	929	0512488
14	0512044	980	0512611
30	0512374	984	0512170
66	0511988	998	0511743
87	0512497	1131	0512644
196	0511248	1144	0512307
203	0512183	1147	0512465
273	0512337	1158	0512291
310	0512597	1238	0512363
346	0511443	1254	0510680
371	0512538	1316	0512403
393	0512309	1346	0512020
436	0509144	1352	0512241
467	0510820	1445	0512495
521	0511904	1461	0512703
551	0511942	1539	0512013
581	0511762	1548	0512474
607	0512315	1562	0512258
681	0512487	1606	0512562
690	0511684	1625	0512195
712	0512123	1637	0512079
766	0512281	1645	0510864
770	0512625	1665	0512114
802	0512400	1711	0512492
858	0512329		

Daily Total:	49
Cumulative Total:	1141

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, April 26, 2005

SIXTIETH SESSION DAY

ONE HUNDRED FORTY-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, April 26, 2005

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—77:

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Yee
Coto	Kleh	Oropeza	Mr. Speaker
Daucher	Koretz	Parra	
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescia	

Quorum present.

At 12:45 p.m., Hon. Lois Wolk, 8th 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 Member La Suer.

On personal business, and waiving per diem: Assembly Member Wyland.

Because of illness: Assembly Member Gordon.

(NOTE: For letter explaining the absence of Assembly Member La Suer on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 25, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 25, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember John Benoit to replace Assemblymember Jay La Suer on the Assembly Public Safety Committee for the Tuesday, April 26 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 26, 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 Lori Saldaña to replace Assemblymember Jenny Oropeza on the Assembly Jobs, Economic Development and the Economy Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 26, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Fran Pavley to fill the Democratic vacancy on the Assembly Environmental Safety and Toxic Materials Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 26, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 8

Assembly Bill No. 690

Assembly Bill No. 14

Assembly Bill No. 1346

Assembly Bill No. 436

Assembly Bill No. 1637

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 26, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1158

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 26, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 3

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 26, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 30

Assembly Bill No. 66

Assembly Bill No. 393

Assembly Bill No. 551

Assembly Bill No. 581

Assembly Bill No. 607

Assembly Bill No. 681

Assembly Bill No. 766

Assembly Bill No. 858

Assembly Bill No. 929

Assembly Bill No. 980

And reports the same correctly engrossed.

Assembly Bill No. 984

Assembly Bill No. 998

Assembly Bill No. 1238

Assembly Bill No. 1352

Assembly Bill No. 1445

Assembly Bill No. 1548

Assembly Bill No. 1562

Assembly Bill No. 1625

Assembly Bill No. 1645

Assembly Bill No. 1711

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 26, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 87

Assembly Bill No. 196

Assembly Bill No. 203

Assembly Bill No. 273

Assembly Bill No. 310

Assembly Bill No. 346

Assembly Bill No. 371

Assembly Bill No. 467

Assembly Bill No. 521

Assembly Bill No. 712

Assembly Bill No. 770

And reports the same correctly engrossed.

Assembly Bill No. 802

Assembly Bill No. 1131

Assembly Bill No. 1144

Assembly Bill No. 1147

Assembly Bill No. 1254

Assembly Bill No. 1316

Assembly Bill No. 1461

Assembly Bill No. 1539

Assembly Bill No. 1606

Assembly Bill No. 1665

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 57—Salinas (Coauthors: Maze, Nakanishi, Pavley, and Vargas). Relative to automated external defibrillator programs.

ASSEMBLY CONCURRENT RESOLUTION NO. 58—Parra. Relative to foster youth.

ASSEMBLY CONCURRENT RESOLUTION NO. 59—Baca. Relative to California Native American Indian History Month.

**AUTHOR'S AMENDMENTS
Committee on Public Safety**

April 26, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 41

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 41—An act to add the heading of Chapter 7.5 (commencing with Section 181) to Title 7 of Part 1 of, and to add Sections 181.1, 181.2, 181.3, 181.4, 181.5, and 181.6 to, the Penal Code, relating to human trafficking.

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**

April 26, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1398

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1398—An act to add Division 40 (commencing with Section 60000) to the Health and Safety Code, relating to public health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Housing and Community Development**

April 26, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 1390

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 1390—An act to amend Section 33334.2 of, and to amend and repeal Section 33413 of, the Health and Safety Code, relating to housing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Education**

April 26, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1216

Assembly Bill No. 1482

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1216—An act to add Section 51224.3 to the Education Code, relating to instruction.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1482—An act to amend Section 15146 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.

AUTHOR'S AMENDMENTS

Committee on Banking and Finance

April 26, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 1161

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 1161—An act to amend Section 10233 of, and to add Sections 10131.02 and 10233.01 to, the Business and Professions Code, and to amend Section 1916.1 of the Civil Code, relating to real estate brokers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Local Government

April 26, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 259

Assembly Bill No. 986

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 259—An act to add Section 25847 to the Government Code, relating to solid waste collection liens.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 986—An act relating to housing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Insurance

April 26, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 1634

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1634—An act to amend Section 38 of the Insurance Code, relating to notice.

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 Higher Education

April 26, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 1072

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 1072—An act to add Chapter 11.1 (commencing with Section 66910) to, and to repeal Chapter 11 (commencing with Section 66900) of, Part 40 of the Education Code, relating to postsecondary education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

April 26, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 77

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 77—An act to add Section 5024.7 to the Penal Code, relating to correctional facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Housing and Community Development

April 26, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:
Assembly Bill No. 781

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 781—An act to amend Section 7060 of the Government Code, relating to rental property.

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 Judiciary

April 26, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 12

Assembly Bill No. 1700

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 12—An act to amend Sections 5000 and 21350 of, and to add Part 6 (commencing with Section 5800) to Division 5 of, the Probate Code, relating to nonprobate transfers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1700—An act to add Section 188 to the Code of Civil Procedure, relating to secrecy agreements.

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 Revenue and Taxation

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 671

Assembly Bill No. 675

Assembly Bill No. 799

Assembly Bill No. 911

Assembly Bill No. 919

Assembly Bill No. 1027

Assembly Bill No. 1029

Assembly Bill No. 1424

Assembly Bill No. 1589

Assembly Bill No. 1612

Assembly Bill No. 1628

Assembly Bill No. 1767

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KLEHS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1749

With the recommendation: Do pass, and be re-referred to the Committee on Governmental Organization with recommendation: To Consent Calendar.

KLEHS, Chair

Above bill re-referred to the Committee on Governmental Organization.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1615

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

KLEHS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Elections and Redistricting

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

- Assembly Bill No. 582
- Assembly Bill No. 1128

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bills ordered to second reading.

Committee on Natural Resources

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 84 | Assembly Bill No. 1356 |
| Assembly Bill No. 715 | Assembly Bill No. 1362 |
| Assembly Bill No. 1049 | Assembly Bill No. 1365 |
| Assembly Bill No. 1220 | |

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 17 | Assembly Bill No. 1471 |
| Assembly Bill No. 574 | Assembly Bill No. 1585 |
| Assembly Bill No. 993 | Assembly Bill No. 1764 |

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

HANCOCK, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 365 | Assembly Bill No. 1732 |
| Assembly Bill No. 1201 | Assembly Bill No. 1736 |

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.

HANCOCK, Chair

Above bills ordered to second reading.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

- Assembly Bill No. 1547

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

HANCOCK, Chair

Above bill ordered to second reading.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

- Assembly Bill No. 1221

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

HANCOCK, Chair

Above bill ordered to second reading.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 797

With the recommendation: Do pass, and be re-referred to the Committee on Local Government.

HANCOCK, Chair

Above bill re-referred to the Committee on Local Government.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Joint Resolution No. 14

With the recommendation: Be adopted.

HANCOCK, Chair

Above resolution ordered to third reading.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1332

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

HANCOCK, Chair

Above bill ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1765

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

KLEHS, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1562

Assembly Bill No. 1563

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

ARAMBULA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 409

Assembly Bill No. 910

Assembly Bill No. 1395

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

ARAMBULA, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 189 | Assembly Bill No. 1118 |
| Assembly Bill No. 206 | Assembly Bill No. 1173 |
| Assembly Bill No. 386 | Assembly Bill No. 1208 |
| Assembly Bill No. 765 | Assembly Bill No. 1222 |
| Assembly Bill No. 846 | Assembly Bill No. 1406 |
| Assembly Bill No. 850 | Assembly Bill No. 1407 |
| Assembly Bill No. 1007 | Assembly Bill No. 1477 |
| Assembly Bill No. 1101 | Assembly Bill No. 1676 |

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: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

- Assembly Bill No. 1702
- Assembly Bill No. 1728

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: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 852 | Assembly Bill No. 1462 |
| Assembly Bill No. 913 | Assembly Bill No. 1748 |
| Assembly Bill No. 1252 | |

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

- Assembly Bill No. 1031

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

- Assembly Bill No. 1623

With the recommendation: Do pass, and be re-referred to the Committee on Local Government.

OROPEZA, Chair

Above bill re-referred to the Committee on Local Government.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

- Assembly Concurrent Resolution No. 46
- Assembly Concurrent Resolution No. 52

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: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 188

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.

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1170

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.

Committee on Higher Education

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 232

Assembly Bill No. 1241

Assembly Bill No. 702

Assembly Bill No. 1436

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bills ordered to second reading.

Committee on Health

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 568

Assembly Bill No. 1275

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1165

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

LEVINE, Chair

Above bill ordered to second reading.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 962

Assembly Bill No. 1632

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LEVINE, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:
Assembly Bill No. 1104

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.

LEVINE, Chair

Above bill ordered to second reading.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:
Assembly Bill No. 1182

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LEVINE, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Human Services

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:
Assembly Bill No. 300

With the recommendation: Do pass, and be re-referred to the Committee on Aging and Long-Term Care, with the recommendation: To Consent Calendar.

EVANS, Chair

Above bill re-referred to the Committee on Aging and Long-Term Care.

CONSIDERATION OF DAILY FILE ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 690, 8, 436, and 14, ordered to third reading;

Assembly Bills Nos. 1346 and 1637, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 513—An act to amend Sections 82002 and 86205 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 821—An act to add Section 2105.5 to the Elections Code, relating to voter registration.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1574—An act to add and repeal Section 12994 of the Government Code, relating to housing discrimination.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Housing and Community Development.

ASSEMBLY BILL NO. 621—An act to amend Sections 32734 and 33452 of the Food and Agricultural Code, relating to milk.

Bill read second time; amendments proposed by the Committee on Agriculture read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1558—An act to add Chapter 3.5 (commencing with Section 83500) to Title 9 of the Government Code, relating to the Fair Political Practices Commission.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 258—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 356—An act to add Sections 1389.25 and 1389.3 to the Health and Safety Code, and to add Sections 10113.9 and 10113.95 to the Insurance Code, relating to health care coverage.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 512—An act to amend Sections 1310 and 1320 of the Business and Professions Code, relating to clinical laboratories.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 525—An act to amend Section 12698 of, and to add Section 12698.02 to, the Insurance Code, and to amend Section 14005.30 of, and to add Section 14148.033 to, the Welfare and Institutions Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 651—An act to amend Sections 14132.27 and 14132.100 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1321—An act to add Section 1379.1 to the Health and Safety Code, relating to health care service plans.

Bill read second time; amendments proposed by the Committee on health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1267—An act to amend Sections 13800, 13812, 13813, 13820, and 13823, and to add Section 13814 to, the Penal Code, relating to the Board of Corrections.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 800—An act to add Section 123147 to the Health and Safety Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 380—An act to add Sections 380 and 9620 to the Public Utilities Code, relating to electricity.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1458—An act to amend Section 280.5 of the Public Utilities Code, relating to telecommunications.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1723—An act to add Section 25302.5 to the Public Resources Code, and to add Section 380 to the Public Utilities Code, relating to energy resources.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 608—An act to amend Sections 789.10 and 10127.7 of the Insurance Code, relating to the life insurance.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 578—An act to amend Section 44010.5 of the Health and Safety Code, relating to vehicular air pollution.

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.

ASSEMBLY BILL NO. 679—An act to repeal and add Section 43700 of, and to add Section 43700.1 to, the Health and Safety Code, relating to emissions.

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.

ASSEMBLY BILL NO. 1149—An act to amend Section 12818 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 626—An act to add and repeal Section 14107.14 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 688—An act to amend Sections 1324, 1324.2, and 1324.4 of, and to add Section 1324.15 to, the Health and Safety Code, relating to health facilities.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1047—An act to add Chapter 4 (commencing with Section 129625) to Part 6 of Division 107 of the Health and Safety Code, relating to financing the construction of health facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1698—An act to amend Section 1373 of the Health and Safety Code, and to amend Section 10277 of the Insurance Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 779—An act to add Section 14018.15 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1126—An act to amend Section 23095 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1180—An act to amend Sections 19582.5, and 19612.9 of, to add Section 19481.3 to, and to add Article 4.5 (commencing with Section 19500) to Chapter 4 of Division 8 of, the Business and Professions Code, relating to horse racing.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 496—An act to amend Section 22350 of the Business and Professions Code, to amend Sections 412.10, 685.090, 1985.3, and 1985.6 of the Code of Civil Procedure, and to amend Section 4013 of the Penal Code, relating to service of process.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ADJOURNMENT

At 3:25 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 27, 2005.

FABIAN NUÑEZ, Speaker

TRESHA PETIT-PHAR, Acting Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 26, 2005**

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
12	0512633	821	0512376
41	0512687	986	0512097
77	0511946	1047	0512417
258	0512392	1072	0512220
259	0512728	1126	0512598
356	0512443	1149	0512252
380	0512275	1161	0512335
496	0512433	1180	0511924
512	0512518	1216	0511466
513	0512364	1267	0512179
525	0512411	1321	0512442
578	0512216	1390	0512632
608	0512482	1398	0512556
621	0512519	1458	0512317
626	0512406	1482	0512045
651	0512391	1558	0512361
679	0512221	1574	0512496
688	0512419	1634	0510459
779	0512388	1698	0512375
781	0512768	1700	0512761
800	0512368	1723	0512333

Daily Total: 42

Cumulative Total: 1183

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 27, 2005

SIXTY-FIRST SESSION DAY

ONE HUNDRED FORTY-THIRD 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
Wednesday, April 27, 2005

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aghazarian	Emmerson	Leno	Plescia
Arambula	Evans	Leslie	Richman
Baca	Frommer	Levine	Ridley-Thomas
Bass	Garcia	Lieber	Runner
Benoit	Goldberg	Liu	Ruskin
Berg	Hancock	Matthews	Saldaña
Bermúdez	Harman	Maze	Salinas
Blakeslee	Haynes	McCarthy	Spitzer
Bogh	Horton, Jerome	Montañez	Strickland
Calderon	Horton, Shirley	Mountjoy	Torrico
Canciamilla	Houston	Mullin	Tran
Chan	Huff	Nakanishi	Umberg
Chu	Jones	Nation	Vargas
Cogdill	Karnette	Nava	Villines
Coto	Keene	Negrete McLeod	Walters
Daucher	Klehs	Niello	Wolk
De La Torre	Koretz	Oropeza	Yee
DeVore	La Malfa	Parra	Mr. Speaker
Dymally	Laird	Pavley	

Quorum present.

At 12:18 p.m., Hon. Rudy Bermúdez, 56th 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 Chavez, Cohn, and La Suer.

On personal business, and waiving per diem: Assembly Member Wyland.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 26, 2005

The Honorable Fabian Núñez
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker Núñez: I respectfully request permission to be excused from check-in session on Wednesday, April 27, 2005. The purpose is to tend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
 Fifty-seventh District

22 April, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez: I respectfully request to be excused from check-in Session on Wednesday, April 27 due to meetings in the district.

Cordially yours,

REBECCA COHN, Assembly Member
 Twenty-fourth District

(NOTE: For letter explaining the absence of Assembly Member La Suer on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 25, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 26, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This to advise you that I have appointed Assemblymember Tim Leslie to replace Assemblymember Jay La Suer on the Assembly Housing and Community Development Committee for the Wednesday, April 27 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 26, 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 Van Tran to replace Assemblymember Mark Wyland on the Assembly Education Committee for the Wednesday, April 27 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Higher Education, on Thursday, April 28, 2005, off the Floor during Floor Session.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 27, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 496
Assembly Bill No. 608
Assembly Bill No. 1267

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 27, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 14

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 27, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 12
Assembly Bill No. 41
Assembly Bill No. 77
Assembly Bill No. 258
Assembly Bill No. 259
Assembly Bill No. 356
Assembly Bill No. 380
Assembly Bill No. 512
Assembly Bill No. 513
Assembly Bill No. 525
Assembly Bill No. 578
Assembly Bill No. 621
Assembly Bill No. 626
Assembly Bill No. 651

Assembly Bill No. 679
Assembly Bill No. 688
Assembly Bill No. 779
Assembly Bill No. 781
Assembly Bill No. 800
Assembly Bill No. 821
Assembly Bill No. 986
Assembly Bill No. 1047
Assembly Bill No. 1072
Assembly Bill No. 1126
Assembly Bill No. 1149
Assembly Bill No. 1161
Assembly Bill No. 1180
Assembly Bill No. 1216

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 27, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1321
- Assembly Bill No. 1390
- Assembly Bill No. 1398
- Assembly Bill No. 1458
- Assembly Bill No. 1482
- Assembly Bill No. 1558

- Assembly Bill No. 1574
- Assembly Bill No. 1634
- Assembly Bill No. 1698
- Assembly Bill No. 1700
- Assembly Bill No. 1723

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 27, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 17
- Assembly Concurrent Resolution No. 27

And reports the same correctly enrolled, and presented to the Secretary of State on the 27th day of April, 2005, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1774—Committee on Human Services (Evans (Chair), Haynes (Vice Chair), Arambula, Bass, Coto, Nation, and Spitzer) An act to amend Sections 361.4 and 16504.5 of the Welfare and Institutions Code, relating to criminal record checks, and declaring the urgency thereof, to take effect immediately.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 60—Mountjoy (Coauthors: Benoit, Bermudez, Bogh, Chavez, DeVore, Garcia, Haynes, Huff, Jones, La Suer, Leslie, Maze, Nakanishi, Sharon Runner, Tran, Villines, and Walters) (Coauthors: Senators Aanestad, Ackerman, Battin, Cox, Dutton, McClintock, and Vincent). Relative to National Day of Prayer.

AUTHOR’S AMENDMENTS

Committee on Budget

April 27, 2005

Mr. Speaker: The Chair of your Committee on Budget reports:

Assembly Bill No. 725

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

ASSEMBLY BILL NO. 725—An act to add Sections 9145 and 65040.7 to the Government Code, relating to appropriations.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR’S AMENDMENTS

Committee on Health

April 27, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 599

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 599—An act to amend Section 5600.3 of the Welfare and Institutions Code, relating to mental health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

April 27, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 605

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 605—An act to amend Section 48900 of the Education Code, relating to pupil rights.

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 Judiciary

April 27, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 1307

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 1307—An act to amend Sections 3011, 3020, 3027.1, 3040, and 3118 of, and to repeal Sections 3080 and 3082 of, the Family Code, relating to child custody.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

April 27, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 1433
Assembly Bill No. 1489

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 1433—An act to amend Section 5922 of the Government Code, relating to public 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.

ASSEMBLY BILL NO. 1489—An act to amend Section 13082 of the Financial Code, relating to point-of-sale systems.

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**

April 27, 2005

Mr. Speaker: The Chair of your Committee on Rules reports:

Assembly Concurrent Resolution No. 15

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 15—Relative to In-Home Supportive Services Caregiver Recognition Week.

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**

April 27, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 838

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 838—An act to add and repeal Sections 17052.11 and 23611 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 Banking and Finance**

April 27, 2005

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 1304

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CALDERON, Chair

ASSEMBLY BILL NO. 1304—An act to amend Section 4406 of the Commercial Code, relating to commercial law.

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 Human Services**

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 472

Assembly Bill No. 1378

Assembly Bill No. 788

Assembly Bill No. 1408

Assembly Bill No. 811

Assembly Bill No. 1534

Assembly Bill No. 880

Assembly Bill No. 1601

Assembly Bill No. 899

Assembly Bill No. 1633

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

EVANS, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 699

Assembly Bill No. 1046

Assembly Bill No. 757

Assembly Bill No. 1091

Assembly Bill No. 772

Assembly Bill No. 1142

Assembly Bill No. 847

Assembly Bill No. 1359

Assembly Bill No. 929

Assembly Bill No. 1579

Assembly Bill No. 1045

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Water, Parks and Wildlife

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 87

Assembly Bill No. 1245

Assembly Bill No. 601

Assembly Bill No. 1247

Assembly Bill No. 647

Assembly Bill No. 1421

Assembly Bill No. 802

Assembly Bill No. 1431

Assembly Bill No. 820

Assembly Bill No. 1616

Assembly Bill No. 848

Assembly Bill No. 1665

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Human Services

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1145

Assembly Bill No. 1607

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

EVANS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 617

Assembly Bill No. 1565

With the recommendation: Do pass, and be re-referred to the Committee on Rules.

EVANS, Chair

Above bills re-referred to the Committee on Rules.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1062

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

CHAN, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Water, Parks and Wildlife

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

- Assembly Bill No. 515
- Assembly Bill No. 1039
- Assembly Bill No. 1466

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

WOLK, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

- Assembly Bill No. 1199
- Assembly Bill No. 1235
- Assembly Bill No. 1533
- Assembly Bill No. 1707
- Assembly Bill No. 1745

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

- Assembly Bill No. 1667

With the recommendation: Do pass, and be re-referred to the Committee on Education.

CHAN, Chair

Above bill re-referred to the Committee on Education.

Committee on Judiciary

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

- Assembly Bill No. 19
- Assembly Bill No. 528
- Assembly Bill No. 576
- Assembly Bill No. 581

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

- Assembly Bill No. 1338

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

- Assembly Bill No. 1293

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1098

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Housing and Community Development.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 202

Assembly Bill No. 573

Assembly Bill No. 406

Assembly Bill No. 1038

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 bills be placed on the Consent Calendar.

JONES, Chair

Above bills ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 27

Assembly Bill No. 1035

Assembly Bill No. 1742

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 15

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.

JONES, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Concurrent Resolution No. 24

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1230

With the recommendation: Do pass.

CHAN, Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 558

Assembly Bill No. 672

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bills ordered to second reading.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 166

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Local Government.

CHAN, Chair

Above bill ordered to second reading.

Committee on Banking and Finance

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 459

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Local Government.

CALDERON, Chair

Above bill ordered to second reading.

Committee on Human Services

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1179

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.

EVANS, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 21

Assembly Bill No. 1113

Assembly Bill No. 73

Assembly Bill No. 1116

Assembly Bill No. 74

Assembly Bill No. 1178

Assembly Bill No. 302

Assembly Bill No. 1263

Assembly Bill No. 361

Assembly Bill No. 1357

Assembly Bill No. 481

Assembly Bill No. 1654

Assembly Bill No. 827

Assembly Bill No. 1660

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 53

Assembly Bill No. 1268

Assembly Bill No. 54

Assembly Bill No. 1382

Assembly Bill No. 497

Assembly Bill No. 1729

Assembly Bill No. 1114

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 522

Assembly Bill No. 1115

Assembly Bill No. 1117

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.

NEGRETE McLEOD, Chair

Above bills ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 488

Assembly Bill No. 585

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bills ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 78

Assembly Bill No. 602

Assembly Bill No. 226

Assembly Bill No. 1334

With the recommendation: Do pass.

NEGRETE McLEOD, Chair

Above bills ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 1210

With the recommendation: Do pass, and be re-referred to the Committee on Rules.

NEGRETE McLEOD, Chair

Above bill ordered to the Committee on Rules.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 718

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

NEGRETE McLEOD, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Human Services

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1379

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

EVANS, Chair

Above bill ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 1064

Assembly Bill No. 1461

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MULLIN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 770

With the recommendation: Do pass, and be re-referred to the Committee on Business and Professions.

MULLIN, Chair

Above bill re-referred to the Committee on Business and Professions.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 1754

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

MULLIN, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Banking and Finance

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 885

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Judiciary.

CALDERON, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 616

Assembly Bill No. 1295

Assembly Bill No. 839

Assembly Bill No. 1620

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bills ordered to second reading.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1485

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bill ordered to second reading.

Committee on Veterans Affairs

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Bill No. 30

Assembly Bill No. 922

Assembly Bill No. 276

Assembly Bill No. 1445

Assembly Bill No. 306

Assembly Bill No. 1666

Assembly Bill No. 357

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CANCIAMILLA, Acting Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Bill No. 160

Assembly Bill No. 1202

Assembly Bill No. 1762

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CANCIAMILLA, Acting Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

Senate Joint Resolution No. 1

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.

CANCIAMILLA, Acting Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Bill No. 294

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CANCIAMILLA, Acting Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 734

Assembly Bill No. 849

With the recommendation: Do pass.

WOLK, Chair

Above bills ordered to second reading.

Committee on Education

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 927

Assembly Bill No. 950

Assembly Bill No. 1292

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 853

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

KLEHS, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 36

Assembly Bill No. 682

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bills ordered to second reading.

Committee on Labor and Employment

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 596

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

KORETZ, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 619

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Housing and Community Development.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 26

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 113

With amendments with the recommendation: Amend, and do pass, as amended.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: April 12, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 776

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.

LENO, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 293

With amendments with the recommendation: Amend, and do pass, as amended.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 22

Assembly Bill No. 561

Assembly Bill No. 98

Assembly Bill No. 629

Assembly Bill No. 101

Assembly Bill No. 862

Assembly Bill No. 114

Assembly Bill No. 979

Assembly Bill No. 217

Assembly Bill No. 996

Assembly Bill No. 336

Assembly Bill No. 1022

Assembly Bill No. 373

Assembly Bill No. 1067

Assembly Bill No. 424

Assembly Bill No. 1323

With the recommendation: Do pass, and be re-referred to the Committee on

Appropriations.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 102

Assembly Bill No. 1349

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1422

Assembly Bill No. 1657

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1627

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: April 18, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 963

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1327

Assembly Bill No. 1747

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.

RUSKIN, Chair

Above bills ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 319

Assembly Bill No. 1240

Assembly Bill No. 492

Assembly Bill No. 1269

Assembly Bill No. 966

Assembly Bill No. 1360

Assembly Bill No. 1011

Assembly Bill No. 1415

Assembly Bill No. 1078

Assembly Bill No. 1681

Assembly Bill No. 1125

Assembly Bill No. 1693

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

RUSKIN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 403

Assembly Bill No. 1232

Assembly Bill No. 575

Assembly Bill No. 1337

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

RUSKIN, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Local Government

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1690

With the recommendation: Do pass, and be re-referred to the Committee on Higher Education.

SALINAS, Chair

Above bill re-referred to the Committee on Higher Education.

Committee on Insurance

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 243

With the recommendation: Do pass.

VARGAS, Chair

Above bill ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 191

Assembly Bill No. 681

Assembly Bill No. 1661

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 123

With the recommendation: Do pass, and be re-referred to the Committee on Higher Education.

GOLDBERG, Chair

Above bill re-referred to the Committee on Higher Education.

Committee on Aging and Long-Term Care

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 1664

With the recommendation: Do pass, and be re-referred to the Committee on Banking and Finance.

BERG, Chair

Above bill re-referred to the Committee on Banking and Finance.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 300

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BERG, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 1605

With the recommendation: Do pass, and be re-referred to the Committee on Rules.

BERG, Chair

Above bill re-referred to the Committee on Rules.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 608, ordered to third reading;

Assembly Bills Nos. 1267 and 496, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 582—An act to amend Section 17538.41 of the Business and Professions Code, relating to political advertisements.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1128—An act to amend Section 13207 of the Water Code, relating to water.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 365—An act to amend Sections 23 and 24 of, and to add Section 23.6 to, the Food and Agricultural Code, and to amend Section 51201 of the Government Code, relating to agricultural lands.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1201—An act to amend Sections 33321, 33322, 33347, and 33352 of the Public Resources Code, relating to the Sierra Nevada Conservancy.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1732—An act to amend Section 895 of the Public Utilities Code, relating to natural gas, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1736—An act to amend Section 399.12 of the Public Utilities Code, relating to renewable energy.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1547—An act to amend Section 25744 of, to add Section 25402.10 to, and to add Division 16.7 (commencing with Section 26421) to, the Public Resources Code, and to amend Sections 399.6, 399.8, 2827, 3345, and 3370 of, to add Sections 385.1 and 760 to, and to add Chapter 8 (commencing with Section 2830) to Part 2 of Division 1 of, the Public Utilities Code, relating to solar energy, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1221—An act to amend Section 39510 of the Health and Safety Code, relating to air pollution.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1332—An act to add Section 25402.10 to the Public Resources Code, relating to distributed generation.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1765—An act to amend Section 16302.1 of the Government Code, and to amend Sections 6479.3, 7659.9, 8760, 9405, 9407, 9411, 9420, 9432, 30180, 30190, 30283, 32260, 40067, 41060, 43170, 45160, 46160, 50112.7, 55050, 60043, 60250, and 60603 of the Revenue and Taxation Code, relating to taxation.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1031—An act to amend Section 4750 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 188—An act to amend Section 21115.5 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1170—An act to amend Section 29034 of the Public Utilities Code, relating to transportation.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 232—An act to amend Sections 66055 and 66055.5 of the Education Code, relating to registered nursing programs, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 702—An act to add Section 128357 to the Health and Safety Code, relating to nursing education.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1241—An act to add Section 69432.6 to the Education Code, relating to student financial aid.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1436—An act to add Section 69433.2 to the Education Code, relating to student financial aid, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 568—An act to add Section 121022 to the Health and Safety Code, relating to HIV.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1275—An act to add Chapter 1 (commencing with Section 15465) to Part 7.2 of Division 3 of Title 2 of the Government Code, and to amend Section 130060 of the Health and Safety Code, relating to financing hospital seismic safety programs, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1165—An act to amend Section 25519 of the Public Resources Code, relating to energy resources.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1104—An act to amend Section 53088.2 of the Government Code, relating to video providers.

Bill read second time, and ordered to Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 27, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1170

Assembly Bill No. 1732

Assembly Bill No. 1736

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

ADJOURNMENT

At 4:30 p.m., the Assembly adjourned until 9:30 a.m., Thursday, April 28, 2005.

FABIAN NUÑEZ, Speaker

TRESHA PETIT-PHAR, Acting Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 27, 2005**

The following measures were amended in the Assembly on this day:

AB RN

188 0512245
232 0512215
568 0512529
582 0512418
599 0512796
605 0512635
702 0512284
725 0512634
838 0512605
1031 0512475
1128 0512423
1165 0512247
1221 0512681
1241 0512270
1275 0512724
1304 0512863
1307 0512826
1332 0512314
1433 0512647
1436 0512222
1489 0512740
1547 0512278
1765 0512458

ACR RN

15 0511948

Daily Total: 24
Cumulative Total: 1207

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 28, 2005

SIXTY-SECOND SESSION DAY

ONE HUNDRED FORTY-FOURTH 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
Thursday, April 28, 2005

The Assembly met at 9:31 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Laird moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

**At 9:38 a.m., Assistant Speaker pro Tempore Sally Lieber,
22nd District, presiding**

Quorum Present

At 9:51 a.m., Assistant Speaker pro Tempore Lieber declared a
quorum of the Assembly present.

The roll call was completed, and the following answered to their
names—78:

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Kleh	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescia	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Lieber, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

Our Father in Heaven, We thank You for the bountiful harvest that comes from Your blessings of rainfall. It reminds us of where all of our blessings come from.

Make us on this day, a people who realize the great opportunity we have to serve amidst all that pulls against us to be selfish. Give these legislators Your wisdom, discernment, and the spirit of sacrificial servanthood.

Thank You for giving and granting in these halls, a people, who have the real opportunity on a daily basis, to make a difference in the lives of citizens in this great state of California. May Your Presence be so great, and Your influence so present that all who serve, will serve with diligence, hope, and righteousness.

In Your Name Our God we pray.—AMEN!

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Lieber, Assembly Member Negrete McLeod then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member 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:

On legislative business: Assembly Member La Suer.

Because of illness: Assembly Member Gordon.

(NOTE: For letter explaining the absence of Assembly Member La Suer on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 25, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 27, 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 Thursday, April 28 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 27, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Runaway Production:

Assemblymember Karen Bass
 Assemblymember Ed Chavez
 Assemblymember Rick Keene
 Assemblymember Paul Koretz
 Assemblymember Fran Pavley
 Assemblymember Van Tran
 Assemblymember Leland Yee

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 27, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Air and Water Quality:

Assemblymember Greg Aghazarian
 Assemblymember Joe Canciamilla
 Assemblymember Hector De La Torre
 Assemblymember Bill Emmerson
 Assemblymember Tom Harman
 Assemblymember Sally Lieber
 Assemblymember Cindy Montañez
 Assemblymember Alan Nakanishi
 Assemblymember Ira Ruskin

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 28, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have created the Special Committee on Rail Safety and have appointed Assemblymember Dario Frommer as the Chair.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

April 28, 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 Roger Niello to replace Assemblymember Bob Huff on the Budget Committee for today's hearing only.

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

2005-030
April 28, 2005

*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 required by Chapter 342, Statutes of 1999, the Bureau of State Audits presents its audit report concerning the State Bar of California's (State Bar) disciplinary process, cost recovery efforts, and financial outlook.

This report concludes that the State Bar continued to monitor its backlog of disciplinary cases that resulted from its virtual shutdown in 1998. At the end of 2004, it reported 402 cases in the backlog compared with 401 cases at the end of 2002 and 1,340 cases at the end of 2000. In addition, the State Bar's semiannual reviews of randomly chosen disciplinary cases in 2004 disclosed deficiencies similar to those found in its 2002 random reviews, such as missing or inadequate explanations of case dispositions. To address these deficiencies and in response to our 2003 audit recommendations, the State Bar developed a brief checklist to guide staff in processing disciplinary cases. However, its staff did not always use the checklist and it is not sufficiently comprehensive. The State Bar also adopted a policy to spot check open disciplinary cases to ensure that staff are maintaining files properly and handling complaints correctly. However, we found that staff did not consistently perform the requisite number of spot checks and sometimes failed to document the results. Further, the State Bar's recoveries of disciplinary costs and Client Security Fund payments remained low. Therefore, to subsidize these costs, it used a larger portion of the membership fees it collected than it would have if its recovery rates were higher. Although a law effective in January 2004 improved its

ability to recover past and future costs, the State Bar has not yet been able to use this new authority because it is waiting for approval of certain administrative procedures by the California Supreme Court. Finally, the State Bar is pursuing a revenue increase to help reduce projected deficits in its general fund and Client Security Fund.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Judiciary.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 28, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 188

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 28, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 15

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, April 28, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 232

Assembly Bill No. 568

Assembly Bill No. 582

Assembly Bill No. 599

Assembly Bill No. 605

Assembly Bill No. 702

Assembly Bill No. 725

Assembly Bill No. 838

Assembly Bill No. 1031

Assembly Bill No. 1128

Assembly Bill No. 1165

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

AUTHOR'S AMENDMENTS

Committee on Jobs, Economic Development, and the Economy

April 28, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Concurrent Resolution No. 42

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 42—Relative to the Province of Cheju, Republic of Korea.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 169 | Assembly Bill No. 819 |
| Assembly Bill No. 228 | Assembly Bill No. 1001 |
| Assembly Bill No. 432 | Assembly Bill No. 1037 |
| Assembly Bill No. 446 | Assembly Bill No. 1059 |
| Assembly Bill No. 451 | Assembly Bill No. 1195 |
| Assembly Bill No. 490 | Assembly Bill No. 1206 |
| Assembly Bill No. 530 | Assembly Bill No. 1229 |
| Assembly Bill No. 588 | Assembly Bill No. 1413 |
| Assembly Bill No. 747 | |

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 223 | Assembly Bill No. 595 |
| Assembly Bill No. 277 | Assembly Bill No. 893 |
| Assembly Bill No. 394 | Assembly Bill No. 900 |
| Assembly Bill No. 444 | Assembly Bill No. 918 |
| Assembly Bill No. 461 | Assembly Bill No. 974 |
| Assembly Bill No. 493 | Assembly Bill No. 978 |
| Assembly Bill No. 587 | Assembly Bill No. 994 |
| Assembly Bill No. 594 | |

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1051 | Assembly Bill No. 1516 |
| Assembly Bill No. 1052 | Assembly Bill No. 1523 |
| Assembly Bill No. 1153 | Assembly Bill No. 1576 |
| Assembly Bill No. 1272 | Assembly Bill No. 1718 |
| Assembly Bill No. 1279 | Assembly Bill No. 1725 |
| Assembly Bill No. 1474 | Assembly Bill No. 1763 |

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.

CHU, Chair

Above bills be ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 1196

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 716
Assembly Bill No. 1281

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 bills be placed on the Consent Calendar.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Concurrent Resolution No. 16

With the recommendation: Be adopted.

CHU, Chair

Above resolution ordered to third reading.

Committee on Rules

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Bill No. 1605

With the recommendation: That the bill be re-referred to the Committee on Public Safety.

MONTAÑEZ, Chair

Above bill re-referred to the Committee on Public Safety.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
402 -----	J., E.D., & E.
412 -----	Ed.
645 -----	Nat. Res.
652 -----	Hum. S.
664 -----	Jud.
1012 -----	L. & E.
1377 -----	Ed.
1381 -----	Ed.
1401 -----	G.O. and Rls.
1428 -----	B. & P.
1540 -----	Pub. S.
1639 -----	Health
1715 -----	Pub. S.
1752 -----	G.O.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
56 -----	Higher Ed.
57 -----	Ed.
58 -----	Hum. S.
59 -----	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
22 -----	Ed.

Senate Concurrent

Resolution No.

Committee

20 ----- Trans.

28 ----- Trans.

39 ----- Rls.

CONSIDERATION OF DAILY FILE

**ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 188, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1338—An act to amend Sections 317, 366.26, and 634 of the Welfare and Institutions Code, relating to immigrant children.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1293—An act to amend Section 2025.520 of the Code of Civil Procedure, relating to production of evidence.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1098—An act to amend Section 1365.2 of, and to add Section 1363.07 to, of the Civil Code, relating to common interest developments.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Housing and Community Development.

ASSEMBLY BILL NO. 202—An act to amend Section 1281.2 of the Code of Civil Procedure, relating to arbitration.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 406—An act to repeal and add Section 2782 of the Civil Code, relating to construction contracts.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 573—An act to repeal and add Section 2782 of the Civil Code, relating to indemnity.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1038—An act to amend Sections 936 and 938 of, and to add Section 939 to, the Civil Code, relating to construction defects.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1230—An act to add Section 33200.5 to the Government Code, relating to health care.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 558—An act relating to parks and recreation, 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.

ASSEMBLY BILL NO. 672—An act to add Sections 115827 and 115828 to the Health and Safety Code, relating to reservoirs.

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.

ASSEMBLY BILL NO. 166—An act to add Section 33200.5 to the Government Code, and to add Chapter 5.5 (commencing with Section 101855) to Part 4 of Division 101 of the Health and Safety Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Local Government.

ASSEMBLY BILL NO. 459—An act to add Section 1102.6c to the Civil Code, relating to transfer of real property.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Local Government.

ASSEMBLY BILL NO. 1179—An act to add Section 1507.25 to the Health and Safety Code, relating to community care facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 522—An act to amend Section 1261.6 of the Health and Safety Code, relating to health facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1115—An act to add Article 3 (commencing with Section 4950) to Chapter 12 of Division 2 of the Business and Professions Code, relating to healing arts.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1117—An act to amend Sections 2075, 3642, 4926, 4935, 4937, and 4939 of the Business and Professions Code, relating to medicine.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 488—An act to amend Sections 3076, 3145, 3146, 3147, 3147.5, 3147.6, 3147.7, 3148, 3150, 3152, and 3152.5 of, to amend and renumber Sections 3090.1, 3096, 3096.5, 3096.6, 3096.7, 3097, 3099, 3100, 3103, 3124, 3125, 3128, 3129, 3130, 3131, and 3135 of, to add Sections 3091, 3092, and 3110 to, to repeal Sections 3094, 3095, 3101, 3102, 3104, 3105, 3105.1, 3106, 3107, 3107.1, 3108, 3109, 3123, 3126, 3127, and 3153 of, and to repeal and add Section 3090 of, the Business and Professions Code, relating to optometry.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 585—An act to amend Sections 22900, 22901, 22902, 22903, 22904, 22905, 22906, 22907, 22908, 22909, 22910, 22911, 22913, 22915, 22920, 22922, 22924, 22925, 22926, and 22927 of, to amend the heading of Chapter 28 (commencing with Section 22900) of Division 8 of, and to add Sections 22903.1, 22903.2, and 22903.3 to, the Business and Professions Code, relating to dealers.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 78—An act to add Division 113 (commencing with Section 150000) to the Health and Safety Code, relating to pharmacy benefits management.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 226—An act to amend Section 473.4 of the Business and Professions Code, relating to regulatory programs.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 602—An act to add Section 1812.96 to the Civil Code, relating to health studios.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1334—An act to amend Sections 1775 and 1777 of the Business and Professions Code, relating to dentistry.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1379—An act to add Section 4474.3 to the Welfare and Institutions Code, relating to developmental services.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 885—An act to amend Sections 1788.2, 2924b, and 2924g of the Civil Code, relating to mortgages.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Judiciary.

ASSEMBLY BILL NO. 616—An act to amend Section 7597 of the Government Code, relating to public buildings.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 839—An act to add Article 17 (commencing with Section 19985) to Chapter 5 of Division 8 of the Business and Professions Code, relating to gambling.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1295—An act to add and repeal Sections 12599.5 and 12635.5 of the Health and Safety Code, relating to fireworks, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1620—An act to amend Section 19951 of the Business and Professions Code, relating to gambling.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1485—An act to amend Section 14043.2 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 294—An act to add Section 343 to the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Veterans Affairs read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 734—An act to amend Section 635o of the Penal Code, relating to endangered species.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 849—An act to add Chapter 2.5 (commencing with Section 7059.5) to Part 1.7 of Division 6 of the Fish and Game Code, relating to fisheries.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 927—An act to amend Sections 8208, 8235, 8236, 8237, and 8263 of, to amend the heading of Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of, and to add Article 7.5 (commencing with Section 8238) to Chapter 2 of Part 6 of, the Education Code, relating to early education, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 950—An act relating to teachers, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1292—An act to amend Section 52853 of, and to add Sections 17070.756, 17584.4, 17591.5, and 52854 to, the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 853—An act to amend Section 706.074 of the Code of Civil Procedure, relating to tax liens.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 36—An act to amend Section 35570 of, and to add Chapter 5 (commencing with Section 35850) to Part 21 of, the Education Code, relating to school districts.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 682—An act to amend Sections 41505, 41505.5, and 41530 of, and to repeal Section 32228.6 of, the Education Code, relating to education finance.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 596—An act to add Chapter 1 (commencing with Section 1500) to Part 6 of Division 2 of the Labor Code, relating to building maintenance services.

Bill read second time; amendments proposed by the Committee on Labor and Employment read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 619—An act to amend Sections 1351, 1363.05, 1365.1, 1366.3, 1367.1, and 1368 of, and to add Section 1367.2 to, the Civil Code, relating to common interest developments.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Housing and Community Development.

ASSEMBLY BILL NO. 26—An act to amend Section 1810.2 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 113—An act to amend Section 3003 of the Penal Code, relating to parole.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 776—An act to amend Section 11165.9 of the Penal Code, relating to child abuse reporting.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 293—An act to amend Section 7197 of, and to add Section 7197.5 to, the Business and Professions Code, relating to home inspections.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1627—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 963—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 1327—An act to amend Sections 25514.5 and 25526.5 of the Health and Safety Code, relating to hazardous materials.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1747—An act to amend Sections 230, 461, 462, 463, 465, 1009, 1058.5, 1257, 10013, 10615, 10825, 10841, 11951, 11952, 11962, 11964, 11981, 11982, 11983, 12921.3, 12929.22, 12947, 13167.5, 13415, 13515, 13523, 13523.1, 13529.2, 13530, 13627, 13952, 14957, 31035, 31144.71, 31145, 31630.5, 31631, 31633, 55335, 71610.5, and 81420 of, and to amend the heading of Chapter 7 (commencing with Section 13500) of Division 7 of, the Water Code, relating to water.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 243—An act to amend Section 10113.2 of the Insurance Code, relating to life insurance.

Bill read second time, and ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 28, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 226

Assembly Bill No. 849

Assembly Bill No. 243

Assembly Bill No. 1230

Assembly Bill No. 734

Assembly Bill No. 1334

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 28, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1327

Assembly Bill No. 1747

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 28, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 294

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Members Lieber and Dymally were granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at their desks in the Assembly Chamber.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Concurrent Resolution No. 18, on request of Assembly Member Gordon.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 795, on request of Assembly Member Ridley-Thomas;

Assembly Bill No. 271, on request of Assembly Member Blakeslee.

BILLS REMOVED FROM CONSENT CALENDAR

The following bills were removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Bill No. 1104, on request of Assembly Member Plescia;

Assembly Joint Resolution No. 10, on request of Assembly Member Chu.

RE-REFERENCE OF BILLS

Assembly Member Cohn was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 22 from the Committee on Appropriations to the Committee on Judiciary;

Assembly Bill No. 77 from the Committee on Public Safety to the Committee on Health;

Assembly Bill No. 294 from the Committee on Appropriations to the Committee on Revenue and Taxation.

JOINT RULE 62(a) WAIVED

Assembly Member Cohn was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Business and Professions to hear Assembly Bill No. 770 today, upon adjournment of session;

Committee on Governmental Organization to hear Assembly Bill No. 1749 today, upon adjournment of session;

Committee on Public Safety to hear Assembly Bills Nos. 41, 312, 454, 916, 1257, and 1542 today, upon adjournment of the Committee on Governmental Organization hearing.

MOTION TO RE-REFER ASSEMBLY BILL NO. 1605 TO COMMITTEE

Assembly Member Cogdill moved that Assembly Bill No. 1605 be re-referred to the Committee on Banking and Finance.

Assembly Member Harman seconded the motion.

Motion lost by the following vote:

AYES—28

Aghazarian	Emmerson	La Malfa	Runner
Benoit	Garcia	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Nakanishi	Tran
Cogdill	Horton, Shirley	Niello	Villines
Daucher	Huff	Plescia	Walters
DeVore	Keene	Richman	Wyland

NOES—43

Arambula	Dymally	Levine	Ridley-Thomas
Bass	Evans	Lieber	Ruskin
Berg	Goldberg	Liu	Saldaña
Bermúdez	Hancock	Matthews	Salinas
Calderon	Horton, Jerome	Montañez	Torrico
Canciamilla	Jones	Mullin	Umberg
Chan	Karnette	Nation	Vargas
Chavez	Klehs	Nava	Wolk
Cohn	Koretz	Negrete McLeod	Yee
Coto	Laird	Oropeza	Mr. Speaker
De La Torre	Leno	Pavley	

Motion to Suspend Joint Rule 62(a)

Assembly Member Cohn moved that Joint Rule 62(a) be suspended to permit the Committee on Public Safety to meet upon the adjournment of the hearing of the Committee on Governmental Organization for the purpose of hearing Assembly Bill No. 1605.

Assembly Member Bass seconded the motion.

Motion for suspension of the rules carried by the following vote:

AYES—45

Arambula	Dymally	Levine	Ruskin
Baca	Evans	Lieber	Saldaña
Bass	Frommer	Liu	Salinas
Berg	Goldberg	Matthews	Torrico
Bermúdez	Hancock	Montañez	Umberg
Calderon	Horton, Jerome	Mullin	Vargas
Canciamilla	Jones	Nation	Wolk
Chan	Karnette	Nava	Yee
Chavez	Kleh	Negrete McLeod	Mr. Speaker
Cohn	Koretz	Oropeza	
Coto	Laird	Pavley	
De La Torre	Leno	Ridley-Thomas	

NOES—29

Aghazarian	Garcia	Maze	Strickland
Benoit	Harman	McCarthy	Tran
Blakeslee	Haynes	Nakanishi	Villines
Bogh	Horton, Shirley	Niello	Walters
Cogdill	Huff	Plescia	Wyland
Daucher	Keene	Richman	
DeVore	La Malfa	Runner	
Emmerson	Leslie	Spitzer	

JOINT RULE 62(a) WAIVED

Assembly Member Cohn was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Judiciary to hear Assembly Bills Nos. 22 and 416 today upon the adjournment of the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media hearing;

Committee on Higher Education to hear Assembly Bills Nos. 123 and 1690 today upon the adjournment of Floor Session;

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media to hear Assembly Bill No. 1437 today upon adjournment of Floor Session.

REQUEST FOR PHOTOGRAPHER

Assembly Member Núñez was granted unanimous consent that a video camera be permitted in the Gallery of the Assembly.

BILLS REMOVED FROM CONSENT CALENDAR

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Joint Resolution No. 2, on request of Assembly Member Evans.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Oropeza was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at her desk in the Assembly Chamber.

RECESS

By unanimous consent, at 10:10 a.m., Assistant Speaker pro Tempore Lieber declared the Assembly recessed to permit the introduction of special guests.

Speaker Núñez introduced New Zealand Parliament members: The Honorable Margaret Wilson, Speaker of the New Zealand Parliament, The Honorable David Carter, Member of Parliament (MP), National Party, and Mrs. Heather Carter, The Honorable Nanata Mahuta, MP, Labor Party, and Mr. Gannin Ormsby, The Honorable Ron Mark, MP, New Zealand First Party, The Honorable Gerry Eckhoff, MP, Act Party, and Mrs. Marg Eckhoff, Ms. Cheryl Ferguson, Secretary to the Delegation, Mr. Sean Rota, Private Secretary to the Speaker, Mr. Max Simons, Visits Manager, Visits & Ceremonial Office, Department of Internal Affairs, accompanied by: The Honorable Rob Taylor, Consul General, Consulate General of New Zealand in Los Angeles, and Ms. Annette Crequer, Executive Assistant, Consulate General of New Zealand in Los Angeles.

* * *

Assembly Member Pavley introduced the Malibu-Santa Monica PTA.

* * *

Assembly Member Dymally introduced Kaylah Cooley.

RECONVENED

At 10:20 a.m., the Assembly reconvened.

Hon. Sally Lieber, Assistant Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 13 (Goldberg)—An act to add Article 3.5 (commencing with Section 221.2) to Chapter 2 of Part 1 of the Education Code, relating to schools.

Bill read third time, and passed by the following vote:

AYES—43

Baca	Dymally	Leno	Ridley-Thomas
Bass	Evans	Levine	Ruskin
Berg	Frommer	Lieber	Saldaña
Bermúdez	Goldberg	Liu	Salinas
Calderon	Hancock	Montañez	Torrico
Chan	Horton, Jerome	Mullin	Umberg
Chavez	Jones	Nation	Vargas
Chu	Karnette	Nava	Wolk
Cohn	Klehs	Negrete McLeod	Yee
Coto	Koretz	Oropeza	Mr. Speaker
De La Torre	Laird	Pavley	

NOES—34

Aghazarian	Emmerson	Matthews	Runner
Arambula	Harman	Maze	Spitzer
Benoit	Haynes	McCarthy	Strickland
Blakeslee	Horton, Shirley	Mountjoy	Tran
Bogh	Houston	Nakanishi	Villines
Canciamilla	Huff	Niello	Walters
Cogdill	Keene	Parra	Wyland
Daucher	La Malfa	Plescia	
DeVore	Leslie	Richman	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 547 (Berg)—An act to amend Section 11364.7 of, and to add Chapter 18 (commencing with Section 121349) to Part 4 of Division 105 of, the Health and Safety Code, relating to clean needle and syringe exchange.

Bill read third time, and passed by the following vote:

AYES—45

Arambula	De La Torre	Levine	Ruskin
Baca	Dymally	Lieber	Saldaña
Bass	Evans	Liu	Salinas
Berg	Frommer	Matthews	Torrico
Bermúdez	Goldberg	Montañez	Umberg
Calderon	Hancock	Mullin	Vargas
Canciamilla	Jones	Nation	Wolk
Chan	Karnette	Nava	Yee
Chavez	Klehs	Oropeza	Mr. Speaker
Chu	Koretz	Pavley	
Cohn	Laird	Richman	
Coto	Leno	Ridley-Thomas	

NOES—30

Aghazarian	Harman	Maze	Spitzer
Benoit	Haynes	McCarthy	Strickland
Blakeslee	Horton, Shirley	Mountjoy	Tran
Bogh	Houston	Nakanishi	Villines
Cogdill	Huff	Niello	Walters
Daucher	Keene	Parra	Wyland
DeVore	La Malfa	Plescia	
Emmerson	Leslie	Runner	

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 10:40 a.m., Assistant Speaker pro Tempore Lieber declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Oropeza introduced her goddaughter Alisha Espinoza.

RECONVENED

At 10:42 a.m., the Assembly reconvened.

Hon. Sally Lieber, Assistant Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 649 (Parra)—An act to amend Section 78700 of the Food and Agricultural Code, relating to agriculture.

Bill read third time, and passed by the following vote:

AYES—77

Aghazarian	Dymally	Leslie	Ridley-Thomas
Arambula	Emmerson	Levine	Runner
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Benoit	Garcia	Matthews	Salinas
Berg	Goldberg	Maze	Spitzer
Bermúdez	Harman	McCarthy	Strickland
Blakeslee	Haynes	Montañez	Torrico
Bogh	Horton, Jerome	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wolk
Cogdill	Keene	Niello	Wyland
Cohn	Klehs	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	Laird	Plescía	
DeVore	Leno	Richman	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 12 (Gordon)—Relative to military base retention.

Resolution read, and presented by Assembly Member Laird.

Members Made Coauthors of Assembly Joint Resolution No. 12

Assembly Member Laird was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 12.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Laird was granted unanimous consent to take up Assembly Joint Resolution No. 12, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 12, as Amended

ASSEMBLY JOINT RESOLUTION NO. 12—Relative to military base retention.

Resolution read, as amended, and adopted by the following vote:

AYES—77

Aghazarian	Dymally	Leslie	Ridley-Thomas
Arambula	Emmerson	Levine	Runner
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Benoit	Garcia	Matthews	Salinas
Berg	Goldberg	Maze	Spitzer
Bermúdez	Hancock	McCarthy	Strickland
Blakeslee	Harman	Montañez	Torrico
Bogh	Horton, Jerome	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wolk
Cogdill	Keene	Niello	Wyland
Cohn	Klehs	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	Laird	Plescia	
DeVore	Leno	Richman	

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY BILL NO. 378 (Chu)—An act to amend Section 52 of the Civil Code, and to amend Section 338 of the Code of Civil Procedure, relating to protected classes.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescía	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 240 (Bermudez)—An act to amend Section 3003 of the Penal Code, relating to parole.

Bill read third time, and passed by the following vote:

AYES—76

Aghazarian	DeVore	Leno	Plescía
Arambula	Dymally	Leslie	Richman
Baca	Emmerson	Levine	Ridley-Thomas
Bass	Evans	Lieber	Runner
Benoit	Frommer	Liu	Ruskin
Berg	Garcia	Matthews	Saldaña
Bermúdez	Harman	Maze	Salinas
Blakeslee	Haynes	McCarthy	Spitzer
Bogh	Horton, Jerome	Montañez	Strickland
Calderon	Horton, Shirley	Mountjoy	Torrico
Canciamilla	Houston	Mullin	Tran
Chan	Huff	Nakanishi	Umberg
Chavez	Jones	Nation	Vargas
Chu	Karnette	Nava	Villines
Cogdill	Keene	Negrete McLeod	Walters
Cohn	Klehs	Niello	Wolk
Coto	Koretz	Oropeza	Wyland
Daucher	La Malfa	Parra	Yee
De La Torre	Laird	Pavley	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 834 (Jones)—An act to amend Sections 19412, 19549.6, and 19610.8 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—77

Aghazarian	Dymally	Leslie	Ridley-Thomas
Arambula	Emmerson	Levine	Runner
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Benoit	Garcia	Matthews	Salinas
Berg	Hancock	Maze	Spitzer
Bermúdez	Harman	McCarthy	Strickland
Blakeslee	Haynes	Montañez	Torrico
Bogh	Horton, Jerome	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wolk
Cogdill	Keene	Niello	Wyland
Cohn	Klehs	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	Laird	Plescía	
DeVore	Leno	Richman	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1594 (Umberg)—An act to add Section 852 of the Military and Veterans Code, relating to military, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—78

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescía	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—78

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1669 (Chu)—An act to amend Section 12960 of the Government Code, relating to employment.

Bill read third time, and passed by the following vote:

AYES—46

Arambula	Dymally	Leno	Ridley-Thomas
Baca	Evans	Levine	Ruskin
Bass	Frommer	Lieber	Saldaña
Berg	Garcia	Liu	Salinas
Bermúdez	Goldberg	Matthews	Torrico
Calderon	Hancock	Montañez	Umberg
Chan	Horton, Jerome	Nation	Vargas
Chavez	Jones	Nava	Wolk
Chu	Karnette	Negrete McLeod	Yee
Cohn	Klehs	Oropeza	Mr. Speaker
Coto	Koretz	Parra	
De La Torre	Laird	Pavley	

NOES—30

Aghazarian	Harman	Maze	Spitzer
Benoit	Haynes	McCarthy	Strickland
Blakeslee	Horton, Shirley	Mountjoy	Tran
Bogh	Houston	Nakanishi	Villines
Cogdill	Huff	Niello	Walters
Daucher	Keene	Plescia	Wyland
DeVore	La Malfa	Richman	
Emmerson	Leslie	Runner	

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 11:05 a.m., Assistant Speaker pro Tempore Lieber declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Chan introduced Sierra Rogers.

* * *

Speaker Núñez introduced Phyllis Lieber, Assembly Member Lieber's mother.

RECONVENED

At 11:10 a.m., the Assembly reconvened.

Hon. Sally Lieber, Assistant Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 1335 (Vargas)—An act to amend Sections 22500, 22502, 22525, 22528, 22535, 22566, 22567, 22569, 22585, 22587, and 22591 of, and to add Sections 22531.1 and 22541 to, the Streets and Highways Code, relating to public works.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 837 (Benoit)—An act to add Section 10110.5 to, the Insurance Code, relating to insurance.

Bill read third time.

Motion to Amend by Assembly Member Benoit

Assembly Member Benoit moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

ASSEMBLY BILL NO. 690 (Saldana)—An act to add Section 323 to the Military and Veterans Code, relating to military compensation.

Bill read third time, and passed by the following vote:

AYES—77

Aghazarian	Dymally	Leslie	Ridley-Thomas
Arambula	Emmerson	Levine	Runner
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Benoit	Garcia	Matthews	Salinas
Berg	Goldberg	Maze	Spitzer
Bermúdez	Harman	McCarthy	Strickland
Blakeslee	Haynes	Montañez	Torrico
Bogh	Horton, Jerome	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wolk
Cogdill	Keene	Niello	Wyland
Cohn	Klehns	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	Laird	Plescía	
DeVore	Leno	Richman	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 8 (Chu)—An act to amend Section 14105.436 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—74

Aghazarian	Dymally	Leslie	Richman
Arambula	Emmerson	Levine	Ridley-Thomas
Baca	Evans	Lieber	Runner
Bass	Frommer	Liu	Ruskin
Benoit	Garcia	Matthews	Saldaña
Berg	Goldberg	Maze	Salinas
Bermúdez	Hancock	McCarthy	Spitzer
Blakeslee	Harman	Montañez	Torrico
Bogh	Horton, Jerome	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wolk
Cogdill	Keene	Niello	Wyland
Cohn	Klehns	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	Laird	Pavley	
De La Torre	Leno	Plescía	

NOES—4

DeVore	Haynes	La Malfa	Strickland
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The question being on the passage of the bill.

Bill passed by the following vote:

AYES—74

Aghazarian	Dymally	Leslie	Richman
Arambula	Emmerson	Levine	Ridley-Thomas
Baca	Evans	Lieber	Runner
Bass	Frommer	Liu	Ruskin
Benoit	Garcia	Matthews	Saldaña
Berg	Goldberg	Maze	Salinas
Bermúdez	Hancock	McCarthy	Spitzer
Blakeslee	Harman	Montañez	Torrico
Bogh	Horton, Jerome	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wolk
Cogdill	Keene	Niello	Wyland
Cohn	Kleh	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	Laird	Pavley	
De La Torre	Leno	Plescia	

NOES—4

DeVore	Haynes	La Malfa	Strickland
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Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 436 (Plescia)—An act to amend Section 14105.48 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—78

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Kleh	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescia	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—78

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Kleh	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescía	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 14 (Harman)—An act to amend Section 1352 of the Civil Code and to add Section 71.5 to the Revenue and Taxation Code, relating to common interest developments.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Leslie	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Kleh	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	Laird	Plescía	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 14 (Yee)—Relative to offshore oil drilling.

Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 14

Assembly Member Yee was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 14.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Baca, Bass, Berg, Bermúdez, Blakeslee, Chan, Chavez, Chu, Cohn, Coto, Daucher, De La Torre, Dymally, Evans, Frommer, Goldberg, Hancock, Jerome Horton, Shirley Horton, Houston, Jones, Karnette, Klehs, Koretz, Laird, Leno, Levine, Lieber, Liu, Matthews, Montañez, Mullin, Nation, Nava, Negrete McLeod, Núñez, Pavley, Plescia, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Torrico, Umberg, Vargas, and Wolk.

Request for Unanimous Consent

Assembly Member Yee was granted unanimous consent to take up Assembly Joint Resolution No. 14, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 14, as Amended

ASSEMBLY JOINT RESOLUTION NO. 14—Relative to offshore oil drilling.

Resolution read, as amended, and adopted by the following vote:

AYES—58

Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Levine	Saldaña
Berg	Frommer	Lieber	Salinas
Bermúdez	Garcia	Liu	Strickland
Blakeslee	Goldberg	Matthews	Torrico
Calderon	Hancock	Montañez	Umberg
Canciamilla	Harman	Mullin	Vargas
Chan	Horton, Jerome	Nation	Walters
Chavez	Horton, Shirley	Nava	Wolk
Chu	Houston	Negrete McLeod	Wyland
Cohn	Jones	Oropeza	Yee
Coto	Karnette	Pavley	Mr. Speaker
Daucher	Klehs	Plescia	
De La Torre	Koretz	Richman	

NOES—16

Aghazarian	Keene	McCarthy	Parra
Cogdill	La Malfa	Mountjoy	Runner
Haynes	Leslie	Nakanishi	Tran
Huff	Maze	Niello	Villines

Resolution ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 5 (Oropeza)—Relative to corporate average fuel economy standards.

Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 5

Assembly Member Oropeza was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 5

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Arambula, Baca, Bass, Berg, Bermúdez, Chan, Chavez, Chu, Cohn, Coto, Dymally, Evans, Frommer, Goldberg, Hancock, Harman, Shirley Horton, Jones, Karnette, Klehs, Koretz, Laird, Leno, Levine, Lieber, Liu, Matthews, Montañez, Mullin, Nation, Nava, Negrete McLeod, Núñez, Pavley, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Torrico, Umberg, Vargas, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member Oropeza was granted unanimous consent to take up Assembly Joint Resolution No. 5, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 5, as Amended

ASSEMBLY JOINT RESOLUTION NO. 5—Relative to corporate average fuel economy standards.

Resolution read, as amended, and adopted by the following vote:

AYES—48

Arambula	Dymally	Laird	Pavley
Baca	Evans	Leno	Richman
Bass	Frommer	Levine	Ridley-Thomas
Berg	Goldberg	Lieber	Ruskin
Bermúdez	Hancock	Liu	Saldaña
Canciamilla	Harman	Matthews	Salinas
Chan	Horton, Jerome	Montañez	Torrico
Chavez	Horton, Shirley	Mullin	Umberg
Chu	Jones	Nation	Vargas
Cohn	Karnette	Nava	Wolk
Coto	Klehs	Negrete McLeod	Yee
De La Torre	Koretz	Oropeza	Mr. Speaker

NOES—24

Aghazarian	Garcia	Maze	Runner
Blakeslee	Haynes	McCarthy	Spitzer
Bogh	Houston	Mountjoy	Strickland
Cogdill	Keene	Niello	Villines
Daucher	La Malfa	Parra	Walters
DeVore	Leslie	Plescia	Wyland

Resolution ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1460 (Umberg)—An act to amend Section 66499.7 of the Government Code, relating to subdivided lands.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	DeVore	Leslie	Richman
Arambula	Dymally	Levine	Ridley-Thomas
Baca	Emmerson	Lieber	Runner
Bass	Evans	Liu	Ruskin
Benoit	Frommer	Matthews	Saldaña
Berg	Garcia	Maze	Salinas
Bermúdez	Hancock	McCarthy	Spitzer
Blakeslee	Harman	Montañez	Strickland
Bogh	Haynes	Mountjoy	Torrico
Calderon	Horton, Jerome	Mullin	Tran
Canciamilla	Horton, Shirley	Nakanishi	Umberg
Chan	Houston	Nation	Vargas
Chavez	Karnette	Nava	Villines
Chu	Keene	Negrete McLeod	Walters
Cogdill	Klehs	Niello	Wolk
Cohn	Koretz	Oropeza	Wyland
Coto	La Malfa	Parra	Yee Professions
Daucher	Laird	Pavley	Mr. Speaker
De La Torre	Leno	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 746 (Blakeslee)—An act to amend Section 1748.1 of the Civil Code, and to add Section 755 to the Public Utilities Code, relating to public utilities.

Bill read third time.

Point of Order

Assembly Member Mountjoy arose to the following point of order: Assembly Members Cohn and Blakeslee are engaging in a colloquy. Assistant Speaker pro Tempore Lieber noted the point of order.

The roll was opened and the bill passed by the following vote:

AYES—65

Aghazarian	De La Torre	Leno	Ruskin
Arambula	DeVore	Levine	Salinas
Baca	Dymally	Liu	Spitzer
Bass	Emmerson	Matthews	Strickland
Benoit	Evans	McCarthy	Torrico
Berg	Frommer	Mountjoy	Tran
Bermúdez	Garcia	Mullin	Umberg
Blakeslee	Harman	Nakanishi	Vargas
Bogh	Haynes	Nation	Villines
Calderon	Horton, Jerome	Negrete McLeod	Walters
Canciamilla	Horton, Shirley	Niello	Wolk
Chavez	Houston	Parra	Wyland
Chu	Jones	Pavley	Yee
Cogdill	Keene	Plescia	Mr. Speaker
Cohn	Koretz	Richman	
Coto	La Malfa	Ridley-Thomas	
Daucher	Laird	Runner	

NOES—4

Klehs	Maze	Montañez	Saldaña
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Vote Changes

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 746: Assembly Members Coto and Mountjoy from “No” to “Aye”.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. 33 (Torlaksen)—Relative to California Fitness Month.

Resolution read, and presented by Assembly Member Levine.

Members Made Coauthors of Senate Concurrent Resolution No. 33

Assembly Member Levine was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 33.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Levine was granted unanimous consent to take up Senate Concurrent Resolution No. 33, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 33, as Amended

SENATE CONCURRENT RESOLUTION NO. 33—Relative to California Fitness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following resolution was placed upon the inactive file:

Assembly Concurrent Resolution No. 36, on request of Assembly Member Berg.

CONSIDERATION OF CONSENT CALENDAR

The Assistant Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 961 (Committee on Higher Education)—An act to amend Sections 69980, 69981, 69982, 69983, 69984, 69986, 69989, 69990, 69992, 69993, and 89903 of, and to add Section 94103 to, the Education Code, to amend Section 10708 of, and to add Section 10708.5 to, the Public Contract Code, and to amend Section 1 of Chapter 402 of the Statutes of 2001, relating to postsecondary education, and making an appropriation therefor.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 324 (Mountjoy)—An act relating to inmates.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 662 (La Suer)—An act to add and repeal Title 8 (commencing with Section 945.6) of Part 2 of Division 2 of the Civil Code, relating to construction defects, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 83 (Leslie)—An act to amend Sections 116030 and 116045 of the Health and Safety Code, relating to swimming pools.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 270 (Leslie)—An act to amend Section 66907.7 of the Government Code, relating to the California Tahoe Conservancy.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 280 (Oropeza)—An act to amend Sections 171.5 and 602 of the Penal Code, relating to harbors.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 303 (Committee on Business and Professions)—An act to amend Sections 313 and 313.5 of the Business and Professions Code, relating to consumer affairs.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 348 (Arambula)—An act to amend Sections 14839 and 14839.1 of the Government Code, relating to small business programs.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 370 (Aghazarian)—An act to add Section 3137 to the Business and Professions Code, relating to optometry.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 376 (Mountjoy)—An act to add Section 148.8 to the Penal Code, relating to false reports.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 544 (Vargas)—An act to amend Section 1704 of the Insurance Code, relating to insurance solicitors.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 604 (Houston)—An act to add Section 14001 to, and to repeal Sections 15037 and 15037.1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 752 (Karnette)—An act to amend and repeal Section 8670.37.58 of the Government Code, relating to oil spills.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 787 (DeVore)—An act to add Section 538h to the Penal Code, relating to crime.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 806 (La Suer)—An act to add Chapter 5.8 (commencing with Section 13489) to Title 6 of Part 4 of the Penal Code, relating to high technology crimes.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 823 (Runner)—An act to amend Sections 456, 457, and 458 of the Military and Veterans Code, relating to military and veterans.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1048 (Pavley)—An act to amend Section 15242 of the Vehicle Code, relating to motor carriers.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1150 (La Suer)—An act to amend Sections 1992 and 1994 of, to add Sections 1993.1 and 1993.2 to, and to repeal and add Section 1993 of, the Code of Civil Procedure, and to add Section 26744.5 to the Government Code, relating to civil warrants.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1303 (Daucher)—An act to amend Sections 41329.52, 41329.55, 41329.56, and 41329.57 of the Education Code, and to add Section 63049.68 to the Government Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1376 (Harman)—An act to amend Section 1428 of the Health and Safety Code, relating to long-term health care facilities.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1743 (Committee on Judiciary)—An act to amend Section 17552 of the Family Code, relating to child support.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1519 (Emmerson)—An act to amend Sections 26202.6, 26206.8, 34090.6, 34090.8, 53160, and 53162 of, the Government Code, relating to government records.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 455 (Goldberg)—An act to amend Section 49600 of the Education Code, relating to at-risk pupils.

Bill read third time, passed, and ordered transmitted to the Senate.
*(For the vote on the above bill, see this day's
 Consent Calendar roll call.)*

ASSEMBLY BILL NO. 882 (Nation)—An act to amend Section 17316 of the Education Code, relating to school facilities.

Bill read third time, passed, and ordered transmitted to the Senate.
*(For the vote on the above bill, see this day's
 Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1346 (Richman)—An act to amend Section 1250 of the Health and Safety Code, relating to health facilities.

Bill read third time, passed, and ordered transmitted to the Senate.
*(For the vote on the above bill, see this day's
 Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1637 (Mountjoy)—An act to amend Sections 27000 and 42001 of, and to add Section 42001.20 to, the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Senate.
*(For the vote on the above bill, see this day's
 Consent Calendar roll call.)*

Consent Calendar—Senate Resolution

SENATE CONCURRENT RESOLUTION NO. 38 (Alquist)—Relative to Crime Victims' Rights Week.

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, and any urgency clauses to the bills adopted, by the following vote:

AYES—77

Aghazarian	Dymally	Leslie	Ridley-Thomas
Arambula	Emmerson	Levine	Runner
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Liu	Saldaña
Benoit	Garcia	Matthews	Salinas
Berg	Goldberg	Maze	Spitzer
Bermúdez	Hancock	McCarthy	Strickland
Blakeslee	Harman	Montañez	Torrico
Bogh	Haynes	Mountjoy	Tran
Calderon	Horton, Jerome	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wolk
Cogdill	Keene	Niello	Wyland
Cohn	Kleh	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	
De La Torre	Laird	Plescia	
DeVore	Leno	Richman	

NOES—None

ANNOUNCEMENTS

Assistant Speaker pro Tempore Lieber announced the following session schedule:

Monday, May 2, 2005, Floor Session, at 11 a.m.;
Tuesday, May 3, 2005, Check-in Session, 7 a.m.–3 p.m.;
Wednesday, May 4, 2005, Floor Session, at 10 a.m.;
Thursday, May 5, 2005, Floor Session, at 9:30 a.m.;
Monday, May 9, 2005, Floor Session, at 9:30 a.m.

ADJOURN IN MEMORY

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sam Ross, of Brentwood.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Canciamilla was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Officer Larry Lasater, of Pacheco.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Keene was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lance Corporal Derek Edward Eschenbaum, of Quincy.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kevin Prince, of Fort Irwin.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Richman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Conron, of Chatsworth.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Doris M. Bergner, Dorothy Evelyn Fox, and Donald Raymond Stout, of Lancaster.

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 Frank Boosembark, Olline V. Peterson, Genevieve B. Riddle, and Bas Trouw, of Davis; Arthur Dallas Taber, of Dixon; Thomas Jackson Childress, Rex “Rocky” Clift, and Elaine Wilma Pazdel, of Fairfield; Gary A. Van Housen, of Suisun City; Mary Louise Letalien and Vickie B. Jones, of Vacaville; Ann Elizabeth Farrell and Ruth M. Johnston, of Woodland.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Cogdill Motion to Re-refer: Garcia, Niello, Villines, and Wyland—Aye; Bermúdez and Chavez—No.

Cohn Motion to Suspend the Rules: Bermúdez—Aye; Villines—No.

Assembly Bill No. 13: Chan and Koretz—Aye; Blakeslee and Spitzer—No.

Assembly Bill No. 547: Bermúdez, Cohn, and Montañez—Aye; Blakeslee, Bogh, Maze, Niello, and Wyland—No.

Assembly Bill No. 649: Blakeslee, Goldberg, Koretz, Niello, Torrico, and Wyland—Aye.

Assembly Joint Resolution No. 12: Nakanishi—Aye.

Assembly Bill No. 378: Baca, Nakanishi, and Niello—Aye.

Assembly Bill No. 240: Baca and Oropeza—Aye.

Assembly Bill No. 834: Bogh and Garcia—Aye.

Assembly Bill No. 1669: Garcia—Aye; Blakeslee—No.

Assembly Bill No. 1335: Chu, Haynes, and Wyland—Aye.

Assembly Bill No. 8 and Urgency: Blakeslee, Walters, and Wyland—Aye; La Malfa—No.

Assembly Joint Resolution No. 14: Wyland—Aye.

Assembly Joint Resolution No. 5: De La Torre and Montañez—Aye; Bogh—No.

Assembly Bill No. 1460: De La Torre and Montañez—Aye.

Assembly Bill No. 746: Chu, Strickland, and Umberg—Aye; Maze and Saldaña—No.

Consent Calendar: Chavez—Aye.

MOTION TO ADJOURN

At 12:12 p.m., Assembly Member Mountjoy moved that the Assembly do now adjourn.

Assembly Member Vargas seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:13 p.m., Assistant Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 61—Benoit. Relative to the National Law Enforcement Museum.

AUTHOR'S AMENDMENTS Committee on Appropriations

April 28, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 475

Assembly Bill No. 1058

Assembly Bill No. 754

Assembly Bill No. 1060

Assembly Bill No. 761

Assembly Bill No. 1077

Assembly Bill No. 938

Assembly Bill No. 1351

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 475—An act to amend Sections 7107, 7110, and 7110.5 of the Government Code, relating to military base closure.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 754—An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 12001, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12084, and 12086 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, and to repeal and add Sections 12071 and 12083 of, the Penal Code, relating to firearms.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 761—An act to add Section 1276.15 to the Health and Safety Code, relating to health facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 938—An act to add Section 84204.5 to the Government Code, relating to the Political Reform Act of 1974.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1058—An act to add Article 8.5 (commencing with Section 114181) to Chapter 4 of Part 7 of Division 104 of the Health and Safety Code, relating to food labeling.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1060—An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 11108, 11108.3, 12001, 12021, 12021.3, 12026.2, 12028.5, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12086, 12131, 12132, and 12305 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, to repeal Section 12084 of, and to repeal and add Section 12071 of, the Penal Code, and to amend Section 26 of Chapter 23 of the Statutes of 1994, relating to firearms.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1077—An act to add Section 49452.7 to the Education Code, relating to pupil 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.

ASSEMBLY BILL NO. 1351—An act to amend Section 11340.5 of, and to add Section 11342.620 to, the Government Code, relating to state agencies, 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 Insurance**

April 28, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 521
Assembly Bill No. 1084
Assembly Bill No. 1226

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 521—An act to amend Section 1872.83 of the Insurance Code, and to amend Sections 3820 and 3822 of, and to repeal Section 62.6 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1084—An act to amend Section 10290 of, and to add Sections 10371 and 10372 to, the Insurance Code, relating to disability insurance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1226—An act to amend Section 138.7 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Agriculture**

April 28, 2005

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1548

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1548—An act to add Section 6024.5 to the Food and Agricultural Code, relating to rodenticide.

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**

April 28, 2005

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 645

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HANCOCK, Chair

ASSEMBLY BILL NO. 645—An act to amend Section 21100.1 of the Public Resources Code, relating to environmental quality.

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

April 28, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1540

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1540—An act to amend Section 211 of the Penal Code, relating to robbery.

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 Labor and Employment

April 28, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 1012

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 1012—An act to amend Sections 515 and 515.5 of the Labor Code, relating to overtime.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

April 28, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Assembly Bill No. 1401

Assembly Bill No. 1752

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1401—An act to amend Section 12710 of the Government Code, relating to tribal gaming.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1752—An act to amend Section 23357 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Health**

April 28, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 467

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 467—An act to add Section 5775.5 to the Welfare and Institutions 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 Judiciary**

April 28, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 664

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 664—An act to amend Section 2553 of the Family Code, relating to marital property.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Insurance**

April 28, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 1123

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1123—An act to amend Section 679 of the Insurance Code, relating to insurer liability.

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 Employees, Retirement and Social Security**

April 28, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1772

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 1772—An act to amend Sections 22115.2, 22662, 22663, 22703, 22705, 22705.5, 23001, 23104, 23202, 23300, 24005, 24105, 24204, 24214, 24216, 24219, 24306.5, 24306.7, 24307, 24311, 24312, 24400, 24410.6, 24613, 24701, 24704, 24750, 24751, and 27100 of the Education Code, relating to teachers' retirement, 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 Governmental Organization

April 28, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 1494

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1494—An act to amend Section 25503.5 of the Business and Professions Code, relating to alcoholic beverage control.

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

April 28, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1613

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 1613—An act 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 Appropriations

April 28, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 875
Assembly Bill No. 1116

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 875—An act to add Sections 559 and 1197.2 to the Labor Code, relating to employee wages and working hours.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1116—An act to amend Sections 4935 and 4938 of the Business and Professions Code, relating to acupuncture.

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 Higher Education

April 28, 2005

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Concurrent Resolution No. 34

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 34—Relative to public higher education facilities.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Public Safety

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 4

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Committee on Agriculture

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 520

Assembly Bill No. 924

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MATTHEWS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 1508

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

MATTHEWS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 334

Assembly Bill No. 387

Assembly Bill No. 401

Assembly Bill No. 723

Assembly Bill No. 726

Assembly Bill No. 1057

Assembly Bill No. 1073

Assembly Bill No. 1162

Assembly Bill No. 1392

Assembly Bill No. 1416

Assembly Bill No. 1608

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 468

Assembly Bill No. 1260

Assembly Bill No. 670

Assembly Bill No. 1261

Assembly Bill No. 826

Assembly Bill No. 1721

Assembly Bill No. 1071

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Higher Education

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 123

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bill ordered to second reading.

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 172

Assembly Bill No. 1690

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 485

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

ARAMBULA, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 728

Assembly Bill No. 1380

Assembly Bill No. 736

Assembly Bill No. 1383

Assembly Bill No. 1348

Assembly Bill No. 1388

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LEVINE, Chair

Above bills ordered to second reading.

Committee on Appropriations

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1102

Assembly Bill No. 1717

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1741

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 416

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Human Services

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1593

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

EVANS, Chair

Above bill ordered to second reading.

Committee on Higher Education

Date of Hearing: April 5, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 593

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1386

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1599

Assembly Bill No. 1623

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above bills ordered to second reading.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 1437

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAVEZ, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 421

Assembly Bill No. 971

Assembly Bill No. 437

Assembly Bill No. 992

Assembly Bill No. 439

Assembly Bill No. 1505

Assembly Bill No. 550

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 283

Assembly Bill No. 1517

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills ordered to second reading.

Committee on Education

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 171

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 399

Assembly Bill No. 1705

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

HANCOCK, Chair

Above bills ordered to second reading.

Committee on Local Government

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 250

Assembly Bill No. 737

Assembly Bill No. 500

Assembly Bill No. 797

Assembly Bill No. 648

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1238

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

SALINAS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Rules

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 1065

With the recommendation: That the bill be re-referred to the Committee on Appropriations.

MONTAÑEZ, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Local Government

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1467

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.

SALINAS, Chair

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1749

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1087

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 75

Assembly Bill No. 76

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bills ordered to second reading.

Committee on Education

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1492

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.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Veterans Affairs

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Bill No. 980

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CANCIAMILLA, Acting Chair

Above bill ordered to second reading.

Committee on Aging and Long-Term Care

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 1258

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Health.

BERG, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 55

House Resolution No. 11

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

Committee on Appropriations

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 94

With the recommendation: Do pass.

CHU, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, April 28, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Assembly Concurrent Resolution No. 8
- Assembly Concurrent Resolution No. 12
- Assembly Concurrent Resolution No. 21
- Assembly Concurrent Resolution No. 49

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, April 28, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- Senate Bill No. 737
- Senate Joint Resolution No. 7
- Senate Concurrent Resolution No. 4

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 28, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- | | |
|---------------------|----------------------|
| Senate Bill No. 40 | Senate Bill No. 792 |
| Senate Bill No. 103 | Senate Bill No. 846 |
| Senate Bill No. 207 | Senate Bill No. 927 |
| Senate Bill No. 306 | Senate Bill No. 930 |
| Senate Bill No. 351 | Senate Bill No. 1069 |
| Senate Bill No. 513 | Senate Bill No. 1085 |
| Senate Bill No. 638 | Senate Bill No. 1108 |
| Senate Bill No. 702 | |

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, April 28, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Senate Concurrent Resolution No. 41
- Senate Concurrent Resolution No. 43

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 40—An act to add Sections 18701 and 18875 to the Health and Safety Code, relating to mobilehome parks.

SENATE BILL NO. 103—An act to amend Sections 1212 and 1218.1 of the Health and Safety Code, relating to clinics.

SENATE BILL NO. 207—An act to add Section 14602.8 to the Vehicle Code, relating to vehicles.

SENATE BILL NO. 306—An act to add Section 5003.19 to the Public Resources Code, relating to state property.

SENATE BILL NO. 351—An act to amend Section 36621 of the Streets and Highways Code, relating to improvement districts.

SENATE BILL NO. 513—An act to add Section 409.13 to the Military and Veterans Code, relating to military benefits, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 638—An act to amend Section 8483.55 of the Education Code, relating to child care.

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.

SENATE BILL NO. 792—An act to amend Section 14556.50 of the Government Code, relating to transportation.

SENATE BILL NO. 846—An act to add Section 27011.5 to the Government Code, relating to charter schools.

SENATE BILL NO. 927—An act to amend Sections 65089.6, 65302, 66484, and 66484.3 of the Government Code, to amend Section 99150 of the Public Utilities Code, to amend Section 75.9 of the Streets and Highways Code, and to amend Sections 21101 and 35701 of the Vehicle Code, relating to land use.

SENATE BILL NO. 930—An act to amend Section 71000 of the Education Code, relating to community colleges.

SENATE BILL NO. 1069—An act to amend Section 33333.6 of the Health and Safety Code, relating to redevelopment.

SENATE BILL NO. 1085—An act to amend Section 53395.1 of, and to repeal and add Section 53395.8 of, the Government Code, relating to infrastructure financing districts.

SENATE BILL NO. 1108—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, 17212.2, 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.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 41—Relative to school crossing guards.

SENATE CONCURRENT RESOLUTION NO. 43—Relative to Autism Awareness Month.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Mountjoy, the Assembly adjourned until 11 a.m., Monday, May 2, 2005, out of respect to the memory of Sam Ross, on motion of Assembly Member Hancock; out of respect to the memory of Officer Larry Lasater, on motion of Assembly Member Canciamilla; out of respect to the memory of Lance Corporal Derek Edward Eschenbaum, on motion of Assembly Member Keene; out of respect to the memory of Kevin Prince, on motion of Assembly Member Maze; out of respect to the memory of Bill Conron, on motion of Assembly Member Richman; out of respect to the memory of Doris M. Bergner, Dorothy Evelyn Fox, and Donald Raymond Stout, on motion of Assembly Member Runner; out of respect to the memory of Frank Boosembark, Olline V. Peterson, Genevieve B. Riddle, Bas Trouw, Arthur Dallas Taber, Thomas Jackson Childress, Rex “Rocky” Clift, Elaine Wilma Pazdel, Gary A. Van Housen, Mary Louise Letalien, Vickie B. Jones, Ann Elizabeth Farrell, and Ruth M. Johnston, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 28, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
26	0512378	950	0512614
36	0512610	963	0512874
113	0511541	1012	0512184
166	0512868	1038	0511653
202	0512279	1058	0512674
293	0512881	1060	0512727
294	0511407	1077	0512871
406	0511639	1084	0512888
459	0512535	1098	0512839
467	0512986	1116	0512909
475	0512828	1123	0512970
488	0512513	1226	0512889
521	0513008	1292	0512512
558	0512672	1293	0512308
573	0511644	1295	0512569
585	0512503	1338	0512481
596	0512704	1351	0512714
616	0512583	1379	0512682
619	0512835	1401	0512772
645	0512390	1485	0512554
664	0512472	1494	0512912
672	0512718	1540	0512180
682	0512628	1548	0512907
754	0512817	1613	0512830
761	0512646	1620	0512585
776	0511542	1627	0512075
837	0512005	1752	0512580
839	0512584	1772	0512739
853	0512846		
875	0512818	ACR	RN
885	0512530	34	0512705
927	0512612	42	0512145
938	0512736		

Daily Total:	63
Cumulative Total:	1270

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, May 2, 2005

SIXTY-THIRD SESSION DAY

ONE HUNDRED FORTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, May 2, 2005

The Assembly met at 11:07 a.m.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Wolk moved a quorum call of the Assembly.

Motion carried.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 11:10 a.m., Speaker Núñez declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—78:

Aghazarian	Dymally	Laird	Richman
Arambula	Emmerson	Leno	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	La Suer	Plescía	

RECESS

By unanimous consent, at 11:10 a.m., Speaker Núñez declared the Assembly recessed.

CAUCUS ANNOUNCEMENTS

At 11:10 a.m., Assembly Member Frommer was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

At 11:25 a.m., Assembly Member Cogdill was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECONVENED

At 11:45 a.m., the Assembly reconvened.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

RECESS

By unanimous consent, at 11:46 a.m., Speaker Núñez declared the Assembly recessed to permit the introduction of special guests.

Speaker Núñez welcomed members of the Senate to the Assembly Chamber.

RECONVENED

At 11:47 a.m., the Assembly reconvened.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

PRAYER

Upon invitation of Speaker Núñez, the following prayer was offered by Guest Chaplain Assembly Member Vargas:

The whole world stands in awe
of the great things that you
have done.

Your deeds bring shouts of joy
from one end of the earth to the
other.

You show your care for the land
by sending rain;
you make it rich and fertile.
You fill the streams with water;
you provide the earth with
crops.

This is how you do it:
you send abundant rain on the
plowed fields
and soak them with water;
you soften the soil with showers
and cause the young plants to
grow.

What a rich harvest your
goodness provides!
Wherever you go there is
plenty.

The pastures are filled with flocks;
the hillsides are full of joy.
The fields are covered with sheep;
the valleys are full of wheat.
Everything shouts and sings for
joy.

Psalms, Chapter 65: verses 8–13

We shout and sing for joy for the lives and talents that we celebrate today.

We shout and sing for joy that the lives and talents that we celebrate today bring us closer together and make this land rich and fertile and that they have softened the soil that we may all grow together as one family.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Núñez, Assembly Member Bermúdez then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member McCarthy.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Leslie.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

April 13, 2005

The Honorable Fabian Nuñez

Speaker of the Assembly

State Capitol, Room 219

Dear Mr. Speaker: Please excuse me from floor session and check-in May 2, 2005 through May 6, 2005, due to legislative business.

Thank you for your consideration and if you have any questions, please contact my office at (916) 319-2004.

Sincerely,

TIM LESLIE, Assembly Member
Fourth District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 29, 2005

Mr. E. Dotson Wilson

Chief Clerk of the Assembly

State Capitol, Room 3196

Sacramento, California

RE: Appointment of Bob Giroux
to Employment Training Panel

Dear Mr. Wilson: Please be advised I have appointed Mr. Bob Giroux to the Employment Training Panel for the April 29, 2005 meeting only. Mr. Giroux will be temporarily replacing Mr. Tyrone Freeman.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

April 29, 2005

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Mara Bresnick
to Tahoe Regional Planning Agency

Dear Mr. Wilson: Please be advised I have appointed Ms. Mara Bresnick to the Tahoe Regional Planning Agency. This is a pleasure appointment starting April 29, 2005. Ms. Bresnick will be replacing Mr. Reed Holderman.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

May 2, 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 Mark Leno to replace Assemblymember Sally Lieber on the Assembly Revenue and Taxation Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

May 2, 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, May 3 hearing.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

May 2, 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 Roger Niello to replace Assemblymember Tim Leslie on the Assembly Higher Education Committee for the Tuesday, May 3 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

May 2, 2005

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Dave Cogdill to replace Assemblymember Tim Leslie on the Assembly Judiciary Committee for the Tuesday, May 3 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

May 2, 2005

*Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Marco Firebaugh
to California Medical Assistance Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. Marco Firebaugh to the California Medical Assistance Commission. This is a term appointment starting May 2, 2005 and the expiration date is January 1, 2009. Mr. Firebaugh will be replacing Mr. Thomas Calderon.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 113
- Assembly Bill No. 202
- Assembly Bill No. 293
- Assembly Bill No. 406

- Assembly Bill No. 573
- Assembly Bill No. 776
- Assembly Bill No. 1038
- Assembly Bill No. 1293

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 837

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 16

Assembly Concurrent Resolution No. 55

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 26

Assembly Bill No. 36

Assembly Bill No. 166

Assembly Bill No. 459

Assembly Bill No. 488

Assembly Bill No. 558

Assembly Bill No. 585

Assembly Bill No. 596

Assembly Bill No. 616

Assembly Bill No. 619

Assembly Bill No. 672

Assembly Bill No. 682

Assembly Bill No. 839

Assembly Bill No. 853

Assembly Bill No. 885

Assembly Bill No. 927

Assembly Bill No. 950

Assembly Bill No. 963

Assembly Bill No. 1098

Assembly Bill No. 1292

Assembly Bill No. 1295

Assembly Bill No. 1338

Assembly Bill No. 1379

Assembly Bill No. 1485

Assembly Bill No. 1620

Assembly Bill No. 1627

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 467

Assembly Bill No. 475

Assembly Bill No. 521

Assembly Bill No. 645

Assembly Bill No. 664

Assembly Bill No. 754

Assembly Bill No. 761

Assembly Bill No. 875

Assembly Bill No. 938

Assembly Bill No. 1012

Assembly Bill No. 1058

Assembly Bill No. 1060

Assembly Bill No. 1077

Assembly Bill No. 1084

Assembly Bill No. 1116

Assembly Bill No. 1123

Assembly Bill No. 1226

Assembly Bill No. 1351

Assembly Bill No. 1401

Assembly Bill No. 1494

Assembly Bill No. 1540

Assembly Bill No. 1548

Assembly Bill No. 1613

Assembly Bill No. 1752

Assembly Bill No. 1772

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 34

Assembly Concurrent Resolution No. 42

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Select Committee on the Los Angeles County Health Care Crisis to hold an informational hearing on Friday, May 13, 2005, in Los Angeles.

REPORTS

The following reports were presented by the Chief Clerk and ordered printed in the Journal:

**2004 Annual DNA Identification Fund Report
(Pursuant to Government Code Section 76104.6) from:**

- Alpine County, Randi Makley, Auditor, dated March 31, 2005;
- Amador County, Eugene J. Lowe, Auditor-Controller, dated April 19, 2005;
- Butte County, Kenneth G. Wiley, Internal Auditor, dated April 26, 2005;
- Calaveras County, Christy Spurr, Accountant-Auditor I, dated April 26, 2005;
- Colusa County, Robert Zunino, Assistant Auditor-Controller, dated April 26, 2005;
- El Dorado County, Terry Nelson, Accountant, dated April 15, 2005;
- Glenn County, Susan Storz, Account Clerk Supervisor, dated March 31, 2005;
- Humboldt County, Neal Tierney, Assistant Auditor-Controller, dated March 29, 2005;
- Kings County, Harold Nikoghosian, Assistant Director, dated March 30, 2005;
- Lassen County, Sonjia Edwards, Assistant Auditor, dated March 31, 2005;
- Los Angeles County, John Naimo, Assistant Auditor-Controller, dated April 4, 2005;
- Mariposa County, Ken Hawkins, Auditor, dated April 7, 2005;
- Mendocino County, Lucy Simonson, Accountant, dated March 29, 2005;
- Merced County, M. Stephen Jones, CPA, CGFM, Auditor-Controller/Recorder/Clerk, dated March 31, 2005;
- Mono County, Lauretta Lee Cochran, Auditor-Controller, dated April 1, 2005;
- Monterey County, Jill Baucom, Senior Accountant Auditor, dated March 29, 2005;
- Napa County, Pamela A. Kindig, Auditor-Controller, dated April 18, 2005;
- Nevada County, Michelle Bodley, Accounting Technician, dated April 1, 2005;
- Orange County, Brian Wayt, Budget Analyst, dated March 28, 2005;
- Placer County, Theresa Wiech, Accountant Auditor, dated March 31, 2005;
- Plumas County, Shawn Montgomery, Chief Deputy Auditor, dated March 28, 2005;

Riverside County, Gary M. Christmas, Deputy County Executive Officer, dated April 20, 2005;

Sacramento County, Julie Valverde, Assistant Auditor-Controller, dated March 31, 2005;

San Benito County, Daniel P. Vrtis, Finance Director, dated March 31, 2005;

San Diego County, Ebony Shelton, CAO Staff Officer-Finance, dated March 30, 2005;

San Francisco County, Todd Rydstrom, Director of Budget and Analysis, dated March 31, 2005;

Santa Barbara County, Stacey Matson, Treasury Finance Chief, dated April 25, 2005;

Santa Clara County, David G. Howe, Assistant District Attorney, dated March 30, 2005;

Santa Cruz County, Gary A. Knutson, Auditor-Controller, dated March 31, 2005;

Shasta County, Sherri Jenkins, Accountant Auditor I, dated March 29, 2005;

Sierra County, Mark Stevenson, Senior Auditor, dated April 20, 2005;

Solano County, Michael S. Medvedoff, Director of Administrative Services, dated March 30, 2005;

Sonoma County, Erick Roeser, Accountant-Auditor II, dated March 30, 2005;

Stanislaus County, Larry Haugh, Auditor-Controller, dated March 30, 2005;

Tehama County, Darlene L. Cleary, Deputy Auditor, dated March 29, 2005;

Tuolumne County, Deborah Russell, Assistant Auditor-Controller, dated March 29, 2005;

Yolo County, Mark V. Krummenacker, General Accounting Manager, Office of the Auditor-Controller, dated April 1, 2005;

Yuba County, Dean E. Sellers, Auditor-Controller, dated March 29, 2005.

Referred by the Speaker to the Committee on Public Safety.

**2003–04 Emergency Medical Services (EMS) Report
(Pursuant to Health and Safety Code Section 1797.98) from:**

Amador County, Eugene J. Lowe, Auditor-Controller, dated April 18, 2005;

Colusa County, Department of Health Services, Nancy Parriot, Deputy Director, dated April 15, 2005;

Lake County, Health Services Department, John W. Moore, Health Services Fiscal Officer, dated April 12, 2005;

San Benito County, Office of Emergency Services, Margie M. Riopel, EMS Administrator, dated April 13, 2005;

Referred by the Speaker to the Committee on Health.

**2003–04 Indian Gaming Special Distribution Fund Report
(Pursuant to Senate Bill 621, Chapter 858, Statutes of 2003) from:**

Amador County, Administrative Agency, Patrick Blacklock, Administrative Officer, dated April 1, 2005;

Placer County, Office of County Executive, Michael E. Paddock, Senior Management Analyst, dated March 28, 2005;

Riverside County, Jennifer Sargent, dated April 1, 2005;

Shasta County, Julie Hope, Senior Administrative Analyst, dated April 4, 2005;

Sonoma County, Office of the County Administrator, Steve Sharpe, Administrative Analyst, dated April 18, 2005;

Referred by the Speaker to the Committee on Governmental Organization.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
50 -----	Pub. S.
859 -----	B. & P.
1095 -----	Ed.
1708 -----	P.E.,R. & S.S.
1774 -----	Hum. S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
60 -----	Rls.
61 -----	Rls.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
41 -----	Ed.
43 -----	Health

**AUTHOR'S AMENDMENTS
Committee on Human Services**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 652

With author's amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chair

ASSEMBLY BILL NO. 652—An act to amend Section 12301.6 of the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

May 2, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 412

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 412—An act relating to education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

May 2, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 569

Assembly Bill No. 1228

Assembly Bill No. 659

Assembly Bill No. 1319

Assembly Bill No. 829

Assembly Bill No. 1377

Assembly Bill No. 953

Assembly Bill No. 1381

Assembly Bill No. 973

Assembly Bill No. 1417

Assembly Bill No. 1076

Assembly Bill No. 1570

Assembly Bill No. 1092

Assembly Bill No. 1642

Assembly Bill No. 1219

Assembly Bill No. 1662

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 569—An act to add Section 49437 to the Education Code, relating to pupil nutrition.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 659—An act to amend Section 33128.3 of the Education Code, relating to school district budgets, 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.

ASSEMBLY BILL NO. 829—An act to amend Section 56501 of the Education Code, relating to special education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 953—An act to amend Section 52055.605 of the Education Code, relating to high priority schools.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 973—An act to amend Section 41370 of the Education Code, relating to public school finance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1076—An act relating to public education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1092—An act to amend Section 56330 of the Education Code, relating to special education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1219—An act relating to public education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1228—An act to relating to schools.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1319—An act relating to adult education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1377—An act to amend Section 46305 of the Education Code, relating to school finance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1381—An act to amend Section 104575 of the Health and Safety Code, relating to nutrition.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1417—An act to amend Section 56502 of the Education Code, relating to special education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1570—An act to amend Section 44253.4 of the Education Code, relating to teacher credentialing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1642—An act to amend Section 8800 of the Education Code, relating to education programs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1662—An act to amend Section 56515 of the Education Code, relating to special education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Judiciary

May 2, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 1529

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 1529—An act to amend Sections 6140, 6140.55, 6140.6, 6140.9, 6141, and 6141.1 of the Business and Professions Code, relating to attorneys.

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 Utilities and Commerce

May 2, 2005

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 67

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEVINE, Chair

ASSEMBLY BILL NO. 67—An act to add Section 2891.5 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 Health

May 2, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 1434

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 1434—An act to amend Section 1725 of the Health and Safety Code, relating to home health agencies.

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**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 66
Assembly Bill No. 563

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 66—An act to add Section 48001 to the Education Code, relating to kindergarten.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 563—An act to amend Sections 52616.17 and 52616.19 of, to repeal Section 52616.23 of, and to add Section 52616.26 to, the Education Code, relating to adult education.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Housing and Community Development**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:
Assembly Bill No. 292

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 292—An act to amend Section 17021.6 of the Health and Safety Code, relating to housing.

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**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 1667

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1667—An act to amend Section 49423.5 of the Education Code, relating to pupil health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Arts, Entertainment, Sports, Tourism, and Internet Media**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 450

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

ASSEMBLY BILL NO. 450—An act to add Title 1.2A (commencing with Section 1746) to Part 4 of Division 3 of the Civil Code, relating to violent video games.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Health**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1639

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 1639—An act relating to hospital buildings.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Jobs, Economic Development, and the Economy**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 402

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 402—An act to amend Section 8702 of the Government Code, relating to borders.

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**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1314

Assembly Bill No. 1457

Assembly Bill No. 1511

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1314—An act to add Section 54963.5 to the Government Code, relating to neighborhood councils.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1457—An act relating to state property.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1511—An act to amend Section 20133 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.

AUTHOR’S AMENDMENTS
Committee on Revenue and Taxation

May 2, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 830

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 830—An act to amend Sections 17053.70, 17053.74, 23612.2, and 23622.7 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 Labor and Employment

May 2, 2005

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 822

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 822—An act to amend Section 213 of the Labor Code, relating to employment.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR’S AMENDMENTS
Committee on Revenue and Taxation

May 2, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 115

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 115—An act to amend Sections 17144 and 24307 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.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 638

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 10

Assembly Bill No. 813

Assembly Bill No. 562

Assembly Bill No. 1672

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills ordered to second reading.

Committee on Insurance

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 729

Assembly Bill No. 881

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bills ordered to second reading.

Committee on Education

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1032

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1577

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 478

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 117

Assembly Bill No. 1671

Assembly Bill No. 1674

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bills ordered to second reading.

Committee on Education

Date of Hearing: April 13, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 482

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1293, 113, and 293, ordered to third reading;

Assembly Bills Nos. 202, 406, 573, 1038, and 776, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 169—An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 228—An act to add Section 1374.17 to the Health and Safety Code, and to add Section 10123.21 to the Insurance Code, relating to health care coverage.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 432—An act to amend Sections 331 and 3500 of the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 446—An act to add Section 143.5 to the Business and Professions Code, relating to professions and vocations.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 451—An act to amend Sections 7204.03 and 7205 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 490—An act to amend Section 20112 of the Public Contract Code, relating to public contracts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 530—An act to add Section 14123.05 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 588—An act to add Section 11093.4 to the Government Code, relating to statistical districts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 747—An act to add Section 19991.12 to the Government Code, relating to public employment.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 819—An act to add and repeal Article 13.52 (commencing with Section 18847) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1001—An act to add Section 42703 to the Public Resources Code, relating to recycling.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1037—An act to amend Section 25120 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1059—An act to add Section 56382.8 to the Food and Agricultural Code, relating to growers, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1195—An act to add Section 2190.6 to the Business and Professions Code, relating to physicians and surgeons.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1206—An act to add Section 1227 to the Government Code, relating to public employment relations.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1229—An act to amend Section 43200 of, and to add Section 43200.1 to, the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1413—An act to amend Section 20002 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 223—An act to amend Section 10170.5 of the Business and Professions Code, relating to real estate.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 277—An act to amend and repeal Section 11126 of the Government Code, relating to open meetings.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 394—An act to amend Section 12956.1 of, and to add Section 12956.2 to, the Government Code, relating to housing.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 444—An act to amend Section 49531.1 of the Education Code, relating to pupils.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 461—An act to amend Section 1801.1 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 493—An act to amend Section 742.24 of, and to add Section 742.245 to, the Insurance Code, relating to insurance.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 587—An act to amend Sections 22874 and 22876 of the Government Code, relating to public employees' health benefits.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 594—An act to amend Section 1812.644 of the Civil Code, relating to personal property.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 595—An act to amend Section 4051 of, to add Section 4019.5 to, to repeal Section 4033 of, and to repeal and add Section 4123 of, the Business and Professions Code, relating to pharmacy.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 893—An act to amend Section 6607 of the Welfare and Institutions Code, relating to sex offenders.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 900—An act to amend Section 830.11 of the Penal Code, relating to investigators.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 918—An act to add Section 89009.3 to the Education Code, relating to the California State University.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 974—An act to add Section 1105 to the Public Utilities Code, relating to energy resources.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 978—An act to add Section 527.10 to the Code of Civil Procedure, to add Sections 6252.5 and 6322.7 to the Family Code, to add Sections 136.3 and 646.91A to the Penal Code, and to add Sections 213.7 and 15657.04 to the Welfare and Institutions Code, relating to protective orders.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 994—An act to amend Section 830.3 of the Penal Code, relating to peace officers.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1051—An act to amend Section 24002 of, and to add Sections 430.5, 9955, and 24004.5 to, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1052—An act to add Section 34520.3 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1153—An act to amend Section 272 of the Penal Code, relating to offenses against minors.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1272—An act to repeal Section 14683 of the Government Code, and to amend Section 6304 of the Public Resources Code, relating to State Lands Commission.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1279—An act to amend Section 25353.5 of the Health and Safety Code, and to amend Section 13177.7 of the Water Code, relating to hazardous substances.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1474—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1516—An act to amend Section 15570 of the Government Code, relating to economic development.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1523—An act to amend Section 19771 of the Government Code, relating to public employment.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1576—An act to add Section 454.6 to the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1718—An act to amend Section 51182 of the Government Code, and to amend Section 4291 of the Public Resources Code, relating to forestry and fire protection.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1725—An act to amend Section 15819.60 of the Government Code, and to amend Section 1104.2 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1763—An act to amend Sections 14574 and 14575 of the Public Resources Code, relating to beverage containers.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1196—An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of the Education Code, relating to instructional programs.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 716—An act to amend Sections 518, 523, 525, and 526 of the Harbors and Navigation Code, relating to vessels.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1281—An act to amend Section 263.8 of the Streets and Highways Code, relating to transportation.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 4—An act to amend Sections 13352, 23546, 23550, 23550.5, 23566, and 23575 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 123—An act to amend Sections 44210, 44225, 44235, 44235.1, 44236, and 44250 of, and to add Part 40.9 (commencing with Section 67700) to, the Education Code, relating to teacher credentialing.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 485—An act to add Part 12.5 (commencing with Section 15920) to Division 3 of Title 2 of the Government Code, relating to economic development.

Bill read second time; amendments proposed by the Committee on Jobs, Economic Development, and the Economy read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 728—An act to amend Section 2827.9 of the Public Utilities Code, relating to electricity.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 736—An act to amend Sections 851 and 853 of the Public Utilities Code, relating to the regulation of public utilities.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1348—An act to add Section 379.7 to the Public Utilities Code, relating to electricity.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1380—An act to add Section 7945 to the Public Utilities Code, relating to telecommunications.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1383—An act to add and repeal Chapter 5.6 (commencing with Section 25460) of Division 15 of the Public Resources Code, relating to energy.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1388—An act to add Section 16320.5 to the Government Code, and to amend Section 280 of, and to add and repeal Section 280.1 of, the Public Utilities Code, relating to telecommunications.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1102—An act to amend Sections 300, 302, 303, 306, 307, 309, 351, 354, 355, 357, 358, 359, 360, 400, 420, 422, 425, 500, 501, 502, 503, 505, 506, 508, 509, 510, 511, 530, 531, 532, 533, 534, 535, and 536 of, to amend the heading of Part 2 (commencing with Section 350) of Division 3 of, to add Section 426 to, and to repeal Sections 353 and 424 of, the Family Code, and to amend Sections 100430, 102130, 102140, 102310, 102325, 102355, 103125, 103175, 103180, 103200, 103235, 103730, 103780, and 103785 of, and to repeal Section 103595 of, the Health and Safety Code, relating to marriage.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1717—An act to amend Section 19524 of the Revenue and Taxation Code, relating to taxation.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1741—An act to add Section 2188.5 to the Elections Code, relating to voter information.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1593—An act to add Section 123326 to the Health and Safety Code, relating to child nutrition.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 593—An act to add Chapter 11.7 (commencing with Section 66970) to Part 40 of the Education Code, to amend Sections 11011 and 54221 of, and to add Part 11.5 (commencing with Section 15870) to Division 3 of Title 2 of, the Government Code, relating to state property, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1386—An act to amend Sections 1646.4, 1646.5, 1647, 1647.1, 1647.2, 1647.3, 1647.10, 1647.11, 1647.12, and 1647.14 of, to add Article 2.86 (commencing with Section 1647.18) to Chapter 4 of Division 2 of, and to repeal Section 1647.4 of, the Business and Professions Code, relating to dentistry.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1599—An act to add Section 15202.4 to the Government Code, relating to homicide trials.

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 Appropriations.

ASSEMBLY BILL NO. 1623—An act to add Chapter 2.66 (commencing with Section 65089.20) to Division 1 of Title 7 of the Government Code, and to add Section 9250.4 to the Vehicle Code, relating to transportation.

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 Appropriations.

ASSEMBLY BILL NO. 421—An act to add Section 530.2 to the Penal Code, relating to crime.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 437—An act to amend Section 290.46 of the Penal Code, relating to sex offenders.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 439—An act to amend Sections 290 and 1203.4 of, and to repeal Section 290.1 of, the Penal Code, relating to sex offenders.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 550—An act to add Article 3 (commencing with Section 2635) to Chapter 3 of Title 1 of Part 3 of the Penal Code, relating to correctional institutions.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 971—An act to add Section 13604 to the Penal Code, relating to corrections.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 992—An act to amend Section 633 of the Penal Code, relating to law enforcement surveillance.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1505—An act to amend Sections 2085.5, 3000, and 6231 of the Penal Code, relating to restitution.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 283—An act to add Section 11100.01 to the Health and Safety Code, relating to controlled substances.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1517—An act to amend Section 11105 of the Penal Code, relating to crimes.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 171—An act to add Chapter 6.4 (commencing with Section 52059.1) to Part 28 of the Education Code, relating to pupils.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 399—An act to amend Sections 41821 and 41850 of, and to add Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, the Public Resources Code, relating to recycling.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1705—An act to amend Sections 4526 and 4628 of the Public Resources Code, relating to forestry.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1467—An act to amend Sections 17581 and 17581.5 of the Government Code, relating to state mandates.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1087—An act to amend Section 23114 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 75—An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to prescription drugs.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 76—An act to amend Section 12803 of, to add Part 5.4 (commencing with Section 14570) to, and to repeal Chapter 12 (commencing with Section 14977) of Part 5.5 of, Division 3 of Title 1 of, the Government Code, relating to pharmaceuticals.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1492—An act to add Section 51220.7 to the Education Code, relating to pupil instruction.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 980—An act to add Article 4 (commencing with Section 345) to Chapter 5 of Part 1 of Division 2 of the Military and Veterans Code, relating to the state militia.

Bill read second time; amendments proposed by the Committee on Veterans Affairs read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1258—An act to amend Sections 1572, 1576.2 of, and to repeal Section 1575.45 and 1575.5 of, the Health and Safety Code, and to amend Section 14043.46, 14105.395, 14520, 14571, 14573, 14574, and 14574.1 of, to repeal Section 14522 of, and to repeal and add Section 14521 of, the Welfare and Institutions Code, relating to adult day health care.

Bill read second time; amendments proposed by the Committee on Aging and Long-Term Care read and adopted; bill ordered reprinted and to be re-referred to the Committee on Health.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 94—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 432

Assembly Bill No. 819

Assembly Bill No. 747

Assembly Bill No. 1413

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 277

Assembly Bill No. 1279

Assembly Bill No. 594

Assembly Bill No. 1474

Assembly Bill No. 900

Assembly Bill No. 1516

Assembly Bill No. 994

Assembly Bill No. 1523

Assembly Bill No. 1052

Assembly Bill No. 1718

Assembly Bill No. 1272

Assembly Bill No. 1763

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, May 2, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1467

Assembly Bill No. 1492

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Members Calderon and Coto were granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber.

REQUEST FOR PHOTOGRAPHER

Assembly Members Calderon and Coto were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

BILLS REMOVED FROM CONSENT CALENDAR

The following bills were removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Bills Nos. 587 and 1492, on request of Assembly Member Plescia.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 114, be withdrawn from the Committee on Appropriations and placed on the second reading file.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 166 from the Committee on Local Government to the Committee on Rules;

Assembly Bill No. 1548 from the Committee on Agriculture to the Committee on Education;

Assembly Bill No. 1583 from the Committee on Housing and Community Development to the Committee on Rules.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 885, be withdrawn from the Committee on Judiciary and placed on the second reading file.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1095 for hearing in the Committee on Education, on Wednesday, May 4, 2005.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Frommer was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the Committee on Local Government to notice hearing of Assembly Bill No. 1140, pending re-referral to the committee.

RECESS

By unanimous consent, at 11:55 a.m., Speaker Núñez declared the Assembly recessed to permit the introduction of special guests.

Speaker Núñez introduced Lieutenant Governor Cruz Bustamante.

Assembly Member Laird introduced Pamela Stockham, of Fair Haven, New Jersey.

Assembly Member Nation introduced Dr. Wendy Roberts, Dr. Jerry Potozkin, and Dr. Craig Kraffert, leaders of the California Dermatology Society.

RECONVENED

At 11:56 a.m., the Assembly reconvened.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

**CONSIDERATION OF HOUSE RESOLUTION NO. 11
BY UNANIMOUS CONSENT**

Assembly Member Coto was granted unanimous consent to take up House Resolution No. 11 out of order, for purpose of consideration.

HOUSE RESOLUTION NO. 11 (Coto)—Relative to Cinco de Mayo Week.

Resolution read.

Members Made Coauthors of House Resolution No. 11

Assembly Member Coto was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 11.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Levine, Lieber, Liu, Matthews, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Coto was granted unanimous consent to take up House Resolution No. 11, as amended, without reference to print or file.

Consideration of House Resolution No. 11, as Amended

HOUSE RESOLUTION NO. 11—Relative to Cinco de Mayo Week.

Resolution read, as amended, and adopted.

Resolution ordered printed.

RECESS FOR LATINO SPIRIT AWARDS CEREMONY

By unanimous consent at 12:18 p.m., Speaker Núñez declared the Assembly recessed to permit the introduction of special guests in celebration of Cinco de Mayo.

Lt. Governor Cruz Bustamante joined Assembly Member Coto at the front of the Assembly Chamber for the presentation of awards.

The following honorees were introduced and escorted to the front of the Assembly Chamber, whereupon they were greeted by Lt. Governor Bustamante and Assembly Member Coto and presented with the Latino Spirit Award: Cruz Reynoso, introduced by Assembly Member Arambula and escorted by Assembly Member Wolk; Bill Chavez, posthumously, his sons, Nicolas and Henry Chavez accepted on his behalf and were introduced by Assembly Member Montañez and escorted by Assembly Member Dymally; Monica Lozano, introduced by Assembly Member Baca and escorted by Assembly Members Torrico and Nava; Rueben Martinez, introduced by Assembly Member De La Torre and escorted by Assembly Members Salinas and Umberg; Maria Gutierrez, introduced by Assembly Member Parra and escorted by Assembly Members Arambula and Bass; Marcela Medina, introduced by Assembly Member Salinas and escorted by Assembly Members Bermúdez, Cohn, and Oropeza; Moctesuma Esparza, introduced by Assembly Member Chavez and escorted by Assembly Members Frommer and Nava; Jaime Nieto, introduced by Assembly Member Saldaña and escorted by Assembly Members Negrete McLeod and Jerome Horton; Ozomatli, introduced by Assembly Member Calderon and escorted by Assembly Members Parra, Oropeza, and Chavez.

Speaker Núñez then introduced Mariachi Jalisco whereupon they performed for the assemblage.

RECONVENED

At 12:51 p.m., the Assembly reconvened.

Hon. Fabian Núñez, Speaker of the Assembly, presiding.

CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 1267 (Leslie)—An act to amend Sections 13800, 13812, 13813, 13820, and 13823, and to add Section 13814 to, the Penal Code, relating to the Board of Corrections.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 496 (Aghazarian)—An act to amend Section 22350 of the Business and Professions Code, to amend Sections 412.10, 1985.3, and 1985.6 of the Code of Civil Procedures, and to amend Section 4013 of the Penal Code, relating to service of process.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 365 (Salinas)—An act to amend Sections 23 and 24 of, and to add Section 23.6 to, the Food and Agricultural Code, and to amend Section 51201 of the Government Code, relating to agricultural lands.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1201 (Laird)—An act to amend Sections 33321, 33322, 33347, and 33352 of the Public Resources Code, relating to the Sierra Nevada Conservancy.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1732 (La Malfa)—An act to amend Section 895 of the Public Utilities Code, relating to natural gas, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1736 (Committee on Utilities and Commerce)—An act to amend Section 399.12 of the Public Utilities Code, relating to renewable energy.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1170 (Canciamilla)—An act to amend Section 29034 of the Public Utilities Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY JOINT RESOLUTION NO. 15 (Baca)—Relative to the Mag Instrument flashlight patent.

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 Resolution

SENATE JOINT RESOLUTION NO. 1 (Ashburn)—Relative to the Lemoore Military Operations Area (MOA) Initiative.

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, and any urgency clauses to the bills adopted, by the following vote:

AYES—77

Aghazarian	Emmerson	Leno	Ridley-Thomas
Arambula	Evans	Levine	Runner
Baca	Frommer	Lieber	Ruskin
Bass	Garcia	Liu	Saldaña
Benoit	Goldberg	Matthews	Salinas
Berg	Hancock	Maze	Spitzer
Bermúdez	Harman	McCarthy	Strickland
Blakeslee	Haynes	Montañez	Torrico
Bogh	Horton, Jerome	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wolk
Cogdill	Keene	Niello	Wyland
Cohn	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	La Suer	Plescia	
Dymally	Laird	Richman	

NOES—None**ANNOUNCEMENTS**

Speaker Núñez announced the following session schedule:

Tuesday, May 3, 2005, Check-in Session, 7 a.m.–3 p.m.;

Wednesday, May 4, 2005, Floor Session, at 11 a.m.;

Thursday, May 5, 2005, Floor Session, at 9:30 a.m.;

Friday, May 6, 2005, No Session;

Monday, May 9, 2005, Floor Session, at 9:30 a.m.

RE-REFERENCE OF BILLS

Assembly Member Cohn was granted unanimous consent that Assembly Bill No. 1141 be re-referred from the Committee on Health to the Committee on Insurance.

JOINT RULE 62(a) WAIVED

Assembly Member Cohn was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Insurance to hear Assembly Bill No. 1141 on Wednesday, May 4, 2005;

Committee on Health to hear Assembly Bill No. 467 on Tuesday, May 3, 2005.

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.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY CONCURRENT RESOLUTION NO. 55 (Jerome Horton)—
Relative to the Day of the Teacher.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 55**

Assembly Member Jerome Horton was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 55.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Levine, Lieber, Liu, Matthews, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Jerome Horton was granted unanimous consent to take up Assembly Concurrent Resolution No. 55, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 55, as Amended
ASSEMBLY CONCURRENT RESOLUTION NO. 55—Relative to the Day of the Teacher.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

REQUEST TO SUSPEND RULES

Assembly Member Frommer requested unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Health to meet on May 4, 2005, for purpose of hearing Assembly Bill No. 1548.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Joint Rule 62(a)

Assembly Member Frommer moved that Joint Rule 62(a) be suspended to permit the Committee on Health to meet on May 4, 2005 for the purpose of hearing Assembly Bill No. 1548.

Assembly Member Cohn seconded the motion.

Motion for suspension of the rules carried by the following vote:

AYES—46

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Levine	Ruskin
Bass	Evans	Lieber	Saldaña
Berg	Frommer	Liu	Salinas
Bermúdez	Goldberg	Matthews	Torrico
Calderon	Hancock	Montañez	Umberg
Canciamilla	Horton, Jerome	Mullin	Vargas
Chan	Jones	Nation	Wolk
Chavez	Karnette	Nava	Yee
Chu	Klehs	Negrete McLeod	Mr. Speaker
Cohn	Koretz	Oropeza	
Coto	Laird	Pavley	

NOES—30

Aghazarian	Garcia	La Suer	Spitzer
Benoit	Harman	McCarthy	Strickland
Blakeslee	Haynes	Mountjoy	Tran
Bogh	Horton, Shirley	Nakanishi	Villines
Cogdill	Houston	Niello	Walters
Daucher	Huff	Plescia	Wyland
DeVore	Keene	Richman	
Emmerson	La Malfa	Runner	

ADJOURN IN MEMORY

Assembly Member Nakanishi was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Christopher Osuna, of Wilton.

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Clifford Smith, of Folsom.

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 Michael M. Griffin, of Benicia; Syril H. Carlson, of Davis; Donald Mack Brown, Linda Pauline Harrison, Hazel Violet Hull, Melvin L. Goodwin, David John Torrence and Gertrude Mary Tougas, of Fairfield; Holliday “Doc” Cornell, of Suisun City; Lafayette C. Eaton, of Vallejo; and Robert Paul Denbaugh, of Woodland.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Consent Calendar: Bogh, Garcia, and Houston—Aye.

Frommer Motion to Suspend the Rules: Mountjoy—No.

MOTION TO ADJOURN

At 1:05 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:06 p.m., Speaker Núñez declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 62—Nakanishi, Chan, Chu, Tran, Shirley Horton, Liu, Torrico, and Yee. Relative to recognizing May 2005 as Asian and Pacific Islander American Heritage Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 63—Negrete McLeod (Principal coauthor: Bermudez) (Coauthors: Bass, Benoit, Bogh, Calderon, Canciamilla, Chavez, Cohn, Dymally, Jerome Horton, Huff, Karnette, Klehs, Liu, Mountjoy, Nakanishi, Parra, Pavley, Salinas, Spitzer, and Torrico) (Coauthor: Senator Soto). Relative to the California Corrections Youth Authority Counselor Ineasie M. Baker Memorial Freeway.

**AUTHOR’S AMENDMENTS
Committee on Education**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1496
Assembly Bill No. 1695

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1496—An act to amend Section 42289.6 of the Education Code, relating to necessary small schools.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1695—An act to amend Section 44909 of the Education Code, relating to certificated employees.

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**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 1640

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1640—An act to add Section 791.28 to the Insurance Code, relating to insurance claims information.

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**

May 2, 2005

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 1098

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

MULLIN, Chair

ASSEMBLY BILL NO. 1098—An act to amend Section 1365.2 of, and to add Section 1363.07 to, of the Civil Code, relating to common interest developments.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 2, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 380
Assembly Bill No. 1202
Assembly Bill No. 1504

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 380—An act to add Sections 380 and 9620 to the Public Utilities Code, relating to electricity.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1202—An act to amend Section 65050 of, and to repeal Section 13998.10 of, the Government Code, relating to the Military and Aerospace Support Act.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1504—An act to amend Section 12816 of, and to add Section 12804.11 to, the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

May 2, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 79
Assembly Bill No. 790

Assembly Bill No. 889
Assembly Bill No. 1302

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 79—An act to amend Section 9880.1 of the Business and Professions Code, relating to automotive repairs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 790—An act relating to international trade.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 889—An act to amend Section 12240, and to repeal Section 12246 of the Business and Professions Code, relating to weights and measures.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1302—An act 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 Governmental Organization

May 2, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 1442

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1442—An act to amend Section 25503.6 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Education

May 2, 2005

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 1095

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1095—An act to amend Section 8880.5 of the Education Code, relating to the California State Lottery.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

May 2, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 859

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 859—An act to amend Section 2069 of the Business and Professions Code, relating to medical assistants.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 2, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:
 Assembly Bill No. 772

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 772—An act to amend Section 49557.2 of the Education Code, to amend Section 123290 of the Health and Safety Code, to amend Sections 12693.98 and 12693.981 of, to add Sections 12693.22, 12693.415, 12693.444, 12693.445, 12693.702, 12693.703, 12693.704, and 12693.983 to, and to add Chapter 17 (commencing with Section 12693.99) to Part 6.2 of Division 3 of, the Insurance Code, and to amend Sections 14005.23, 14005.41, and 18925 of, and to add Sections 14005.43, 14005.71, and 14011.65 to, the Welfare and Institutions Code, relating to health care coverage.

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

May 2, 2005

Mr. Speaker: The Chair of your Committee on Insurance reports:
 Assembly Bill No. 521

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 521—An act relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Jobs, Economic Development, and the Economy

May 2, 2005

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 31

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ARAMBULA, Chair

ASSEMBLY BILL NO. 31—An act to add Chapter 12.9 (commencing with Section 7095) to Division 7 of Title 1 of the Government 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 Judiciary

May 2, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
 Assembly Bill No. 339

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 339—An act to amend Section 17900 of the Business and Professions Code, to amend Sections 1113, 1152, and 1157 of, to add Chapter 1 (commencing with Section 15900) to, and to add and repeal Sections 15534 and 15724 of, the Corporations Code, and to repeal and add Section 12188 of the Government Code, relating to limited partnerships.

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 Public Employees, Retirement and Social Security

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 224

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

TORRICO, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1420

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1213

Assembly Bill No. 1410

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills ordered to second reading.

Committee on Insurance

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 427

With amendments with the recommendation: Amend, and do pass, as amended.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 7

Assembly Bill No. 371

Assembly Bill No. 24

Assembly Bill No. 1086

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bills ordered to second reading.

Committee on Insurance

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 871

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1384

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 452

Assembly Bill No. 1699

Assembly Bill No. 1714

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 Insurance

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1183

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Public Safety.

VARGAS, Chair

Above bill ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1043

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 362

Assembly Bill No. 990

Assembly Bill No. 495

Assembly Bill No. 1430

Assembly Bill No. 597

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

RUSKIN, Chair

Above bills ordered to second reading.

Committee on Education

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 693

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1597

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAN, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1325

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 944

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 634

Assembly Bill No. 771

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bills ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1740

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

Committee on Elections and Redistricting

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 739

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1760

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 60

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

MESSAGES FROM THE SENATE

Senate Chamber, May 2, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 220

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, May 2, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 15
Senate Bill No. 101
Senate Bill No. 347
Senate Bill No. 487
Senate Bill No. 683

Senate Bill No. 816
Senate Bill No. 831
Senate Bill No. 875
Senate Bill No. 1103
Senate Bill No. 1105

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, May 2, 2005

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 124
Senate Bill No. 244
Senate Bill No. 263
Senate Bill No. 380

Senate Bill No. 746
Senate Bill No. 919
Senate Bill No. 967
Senate Bill No. 1106

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 220—An act to amend Section 25608 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 15—An act to amend Section 311 of the Public Utilities Code, relating to the Public Utilities Commission.

SENATE BILL NO. 101—An act to amend Section 226 of the Labor Code, relating to employee compensation, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 347—An act to amend Section 12670.11 of the Water Code, relating to water.

SENATE BILL NO. 487—An act to add Section 10204.5 to the Insurance Code, relating to life insurance.

SENATE BILL NO. 683—An act to amend Section 1626 of, and to add Section 1634.1 to, the Business and Professions Code, relating to dentistry.

SENATE BILL NO. 816—An act to amend Section 2827 of the Public Utilities Code, relating to public utilities.

SENATE BILL NO. 831—An act to amend Section 12648.6 of the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 875—An act to amend Sections 8482.3 and 8483.3 of the Education Code, relating to after school programs, and making an appropriation therefor.

SENATE BILL NO. 1103—An act to amend Section 513 of the Public Resources Code, relating to state parks.

SENATE BILL NO. 1105—An act to amend Sections 1872.83, 1874.1, and 1877.1 of the Insurance Code, relating to insurance fraud.

SENATE BILL NO. 124—An act to amend Section 19605.73, relating to horse racing.

SENATE BILL NO. 244—An act to amend Sections 1771.7 and 1788 of the Health and Safety Code, relating to continuing care retirement communities.

SENATE BILL NO. 263—An act to add Section 17550.195 to the Business and Professions Code, relating to sellers of travel.

SENATE BILL NO. 380—An act to add Article 7 (commencing with Section 111657) to Chapter 6 of Part 5 of Division 104 of the Health and Safety Code, relating to drugs.

SENATE BILL NO. 746—An act to amend Section 19401 of the Business and Professions Code, relating to horse racing.

SENATE BILL NO. 919—An act to amend Section 11126 of the Government Code, relating to open meetings.

SENATE BILL NO. 967—An act to amend Section 65105 of the Government Code, relating to local planning.

SENATE BILL NO. 1106—An act to amend Sections 10406 and 12200 of, to add Sections 6615, 12201, 12203, 12207, 12209, 12211, 12215, and 12217 to, to add Article 3.5 (commencing with Section 12190) to Chapter 4 of Part 2 of Division 2 of, to repeal Sections 10233, 10308.5, 10354, 10507, 10855, 10860, 12150, 12153, 12155, 12157, 12158, 12159, 12160, 12161, 12162, 12162.5, 12163, 12164, 12168, 12169, 12181, 12182, 12185, 12210, 12213, 12225, and 12226 of, to repeal Article 2.1 (commencing with Section 12170) of Chapter 4 of Part 2 of Division 2 of, and to repeal and add Section 12205 of, the Public Contract Code, and to amend Sections 40183, 49120, and 49300 of, and to repeal Article 1 (commencing with Section 42360) of Chapter 6 of, Article 2 (commencing with Section 42370) of Chapter 6 of, and Chapter 4 (commencing with Section 42200) of, Part 3 of Division 30 of, the Public Resources Code, relating to public contracts.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Tuesday, May 3, 2005, out of respect to the memory of Christopher Osuna, on motion of Assembly Member Nakanishi; out of respect to the memory of Clifford Smith, on motion of Assembly Member Niello; and out of respect to the memory of Michael M. Griffin, Cyril H. Carlson, Donald Mack Brown, Linda Pauline Harrison, Hazel Violet Hull, Melvin L. Goodwin, David John Torrence, Gertrude Mary Tougas, Holliday "Doc" Cornell, Lafayette C. Eaton, and Robert Paul Denbaugh, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 2, 2005**

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
4	0511330	953	0511858
31	0513265	971	0512445
66	0512969	973	0511430
67	0510584	980	0512922
75	0512865	992	0512446
76	0512499	1076	0511833
79	0511876	1087	0512934
115	0512680	1092	0509404
123	0512915	1095	0512393
171	0512847	1098	0513252
283	0512471	1102	0512795
292	0513108	1196	0512640
339	0513281	1202	0513017
380	0512878	1219	0511571
399	0512872	1228	0512579
402	0512737	1258	0512769
412	0512401	1281	0512717
421	0512453	1302	0512897
437	0512327	1314	0512254
439	0512451	1319	0511037
450	0513087	1348	0512809
485	0512685	1377	0512679
521	0513209	1380	0512842
550	0512450	1381	0512745
563	0511996	1383	0513016
569	0512967	1386	0512899
593	0512860	1388	0512879
652	0512504	1417	0512662
659	0509683	1434	0511462
716	0512758	1442	0513258
728	0512814	1457	0512540
736	0512655	1496	0512950
772	0513266	1504	0512764
790	0512163	1505	0512455
822	0512626	1511	0512838
829	0510616	1517	0512493
830	0512256	1529	0513146
859	0510236	1570	0511053
889	0513237	1593	0512908

AB	RN	AB	RN
1599	0512979	1667	0512850
1623	0512692	1695	0513145
1639	0512898	1705	0512831
1640	0513162	1717	0512921
1642	0510670	1741	0512792
1662	0512731		
		Daily Total:	89
		Cumulative Total:	1359

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, May 3, 2005

SIXTY-FOURTH SESSION DAY

ONE HUNDRED FORTY-NINTH 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
Tuesday, May 3, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Aghazarian	Dymally	Laird	Richman
Arambula	Emmerson	Leno	Ridley-Thomas
Baca	Evans	Levine	Runner
Bass	Frommer	Lieber	Ruskin
Benoit	Garcia	Liu	Saldaña
Berg	Goldberg	Matthews	Salinas
Bermúdez	Hancock	Maze	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Montañez	Torrico
Calderon	Horton, Jerome	Mountjoy	Tran
Canciamilla	Horton, Shirley	Mullin	Umberg
Chan	Houston	Nakanishi	Vargas
Chavez	Huff	Nation	Villines
Chu	Jones	Nava	Walters
Cogdill	Karnette	Negrete McLeod	Wolk
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker
De La Torre	La Malfa	Pavley	
DeVore	La Suer	Plescia	

Quorum present.

At 11:27 a.m., Hon. Michael Villines, 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 Member Leslie.

Because of illness: Assembly Member Gordon.

(NOTE: For letter explaining the absence of Assembly Member Leslie on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 2, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

May 3, 2005

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Joe Coto
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Joe Coto to the State Allocation Board for May 3, 2005 only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

May 3, 2005

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Pedro Nava
to California Ocean Protection Council

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Pedro Nava to the California Ocean Protection Council. This is a pleasure appointment starting May 3, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

May 3, 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 the following members to the Select Committee on Ports:

Assemblymember Greg Aghazarian
 Assemblymember Juan Arambula
 Assemblymember Patty Berg
 Assemblymember Wilma Chan
 Assemblymember Bob Huff
 Assemblymember Mark Leno
 Assemblymember Pedro Nava
 Assemblymember Fran Pavley
 Assemblymember Lori Saldaña
 Assemblymember Lois Wolk

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

The following communications were presented by the Chief Clerk from:

Mike Chrisman, Secretary for Resources Agency, dated April 14, 2005, relative to the Draft Guidelines for the Proposition 50 California River Parkways Program (pursuant to Water Code Section 79506(a)(2)). Referred by the Speaker to the Committee on Water, Parks and Wildlife.

Scott W. Matthews, Acting Executive Director, California Energy Commission, dated April 19, 2005, relative to the submission of the Public Interest Energy Research (PIER) Program Annual Report (pursuant to Assembly Bill 79, Chapter 409, Statutes of 2004).

Referred by the Speaker to the Committee on Utilities and Commerce.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 3, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 716

Assembly Bill No. 1281

Assembly Bill No. 1102

Assembly Bill No. 1717

Assembly Bill No. 1196

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 3, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 60

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 3, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 4 | Assembly Bill No. 439 |
| Assembly Bill No. 66 | Assembly Bill No. 450 |
| Assembly Bill No. 67 | Assembly Bill No. 485 |
| Assembly Bill No. 75 | Assembly Bill No. 550 |
| Assembly Bill No. 76 | Assembly Bill No. 563 |
| Assembly Bill No. 123 | Assembly Bill No. 569 |
| Assembly Bill No. 171 | Assembly Bill No. 593 |
| Assembly Bill No. 283 | Assembly Bill No. 652 |
| Assembly Bill No. 292 | Assembly Bill No. 659 |
| Assembly Bill No. 399 | Assembly Bill No. 728 |
| Assembly Bill No. 402 | Assembly Bill No. 736 |
| Assembly Bill No. 412 | Assembly Bill No. 829 |
| Assembly Bill No. 421 | Assembly Bill No. 953 |
| Assembly Bill No. 437 | Assembly Bill No. 971 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 3, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 973 | Assembly Bill No. 1381 |
| Assembly Bill No. 980 | Assembly Bill No. 1383 |
| Assembly Bill No. 992 | Assembly Bill No. 1386 |
| Assembly Bill No. 1076 | Assembly Bill No. 1388 |
| Assembly Bill No. 1087 | Assembly Bill No. 1417 |
| Assembly Bill No. 1092 | Assembly Bill No. 1434 |
| Assembly Bill No. 1219 | Assembly Bill No. 1457 |
| Assembly Bill No. 1228 | Assembly Bill No. 1505 |
| Assembly Bill No. 1258 | Assembly Bill No. 1511 |
| Assembly Bill No. 1314 | Assembly Bill No. 1517 |
| Assembly Bill No. 1319 | Assembly Bill No. 1529 |
| Assembly Bill No. 1348 | Assembly Bill No. 1570 |
| Assembly Bill No. 1377 | Assembly Bill No. 1593 |
| Assembly Bill No. 1380 | Assembly Bill No. 1599 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 3, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1623 | Assembly Bill No. 1667 |
| Assembly Bill No. 1639 | Assembly Bill No. 1705 |
| Assembly Bill No. 1642 | Assembly Bill No. 1741 |
| Assembly Bill No. 1662 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 3, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 31	Assembly Bill No. 889
Assembly Bill No. 79	Assembly Bill No. 1095
Assembly Bill No. 115	Assembly Bill No. 1098
Assembly Bill No. 339	Assembly Bill No. 1202
Assembly Bill No. 380	Assembly Bill No. 1302
Assembly Bill No. 521	Assembly Bill No. 1442
Assembly Bill No. 772	Assembly Bill No. 1496
Assembly Bill No. 790	Assembly Bill No. 1504
Assembly Bill No. 822	Assembly Bill No. 1640
Assembly Bill No. 830	Assembly Bill No. 1695
Assembly Bill No. 859	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 3, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 8
 Assembly Concurrent Resolution No. 12
 Assembly Concurrent Resolution No. 21
 Assembly Concurrent Resolution No. 49

And reports the same correctly enrolled, and presented to the Secretary of State on the 3rd day of May, 2005, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

REPORTS

The following reports were presented by the Chief Clerk:

**Annual Report on the Erosion of Purchasing Power of
 State Teachers' Retirement Allowances
 (Pursuant to Assembly Bill 604, Chapter 802, Statutes of 1979)**

Above transmitted report, together with letter of transmittal from Carolyn Widener, Chairperson, State Teachers' Retirement System, dated April 7, 2005, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Implementation of the Toxic Mold Protection Act of 2001
 (Pursuant to Senate Bill 732, Chapter 584, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated April 18, 2005, referred by the Speaker to the Committee on Housing and Community Development.

**Medi-Cal Providers on Probation
 (Pursuant to Welfare and Institutions Code Section 14124.12)**

Above transmitted report, together with letter of transmittal from Jennifer Kent, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated April 18, 2005, referred by the Speaker to the Committee on Health.

**General Plan for the Use of State Lands Being Disposed
 (Pursuant to Public Resources Code Section 6373)**

Above transmitted report, together with letter of transmittal from Paul D. Thayer, Executive Officer, California State Lands Commission, dated April 19, 2005, referred by the Speaker to the Committee on Natural Resources.

**2004–05 Third Quarter Monthly Status and Oversight Reports
for the California Developmental Disabilities Information System
(CADDIS) Project
(Pursuant to Senate Bill 1113, Chapter 208, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated April 25, 2005, referred by the Speaker to the Committee on Budget.

**2003–04 Motor Vehicle Theft Prevention Act Annual Report
(Pursuant to Senate Bill 1743, Chapter 1248, Statutes of 1994)**

Above transmitted report, together with letter of transmittal from M. L. Brown, Commissioner, Department of California Highway Patrol, dated April 25, 2005, referred by the Speaker to the Committee on Transportation.

**Report on Salaries for Occupations Comparable to
Selected State Civil Service Classifications
(Pursuant to Government Code Section 19826(c))**

Above transmitted report, together with letter of transmittal from David A. Gilb, Chief, Labor Relations, Department of Personnel Administration, dated April 27, 2005, referred by the Speaker to the Committee on Labor and Employment.

**2003–04 Disabled Veteran Business Enterprise (DVBE) Report
(Pursuant to Public Contract Code Section 10115.5 and
Military Veterans Code Section 999.7)**

**2003–04 Small Business and Micro Business Report
(Pursuant to Government Code Section 14840)**

Above reports referenced in communication from Ron Joseph, Director, Department of General Services, dated April 19, 2005, stating availability of reports at <http://www.legi.dgs.ca.gov/Publications/2005LegislativeReports.htm>

Referred by the Speaker to the Committees on Veterans Affairs and Jobs, Economic Development and the Economy.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 20—Haynes. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article XXXVI thereto, relating to immigration enforcement.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 64—Chavez and Strickland. Relative to Entertainment Ratings and Labeling Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 65—Cogdill. Relative to Kristopher's Crossing.

AUTHOR'S AMENDMENTS

Committee on Public Employees, Retirement and Social Security

May 3, 2005

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1708

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORRICO, Chair

ASSEMBLY BILL NO. 1708—An act to amend Section 3517.5 of the Government Code, relating to state employment relations.

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 Judiciary

May 3, 2005

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 928

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JONES, Chair

ASSEMBLY BILL NO. 928—An act to amend Section 1717 of the Civil Code, relating to attorney's fees.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 3, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 850

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 850—An act to amend Sections 143 and 149 of the Streets and Highways Code, relating to transportation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

May 3, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 50

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 50—An act to amend Section 667 of the Penal Code, relating to sentencing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 3, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 568

Assembly Bill No. 681

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 568—An act to add Section 121022 to the Health and Safety Code, relating to HIV.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 681—An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 3, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 306

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 306—An act to amend the heading of Chapter 3 (commencing with Section 800) of Division 4 of, and to amend Sections 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, and 810 of, the Military and Veterans Code, relating to military benefits.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Elections and Redistricting

April 25, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 187

UMBERG, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Revenue and Taxation

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1614

Assembly Bill No. 1630

With the recommendation: Do pass.

KLEHS, Chair

Above bills ordered to second reading.

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1099

Assembly Bill No. 1631

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KLEHS, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Elections and Redistricting

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 867

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

UMBERG, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1288

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CHU, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 19, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1127

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 571

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 646

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 454

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Committee on Banking and Finance

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 1433

With the recommendation: Do pass.

CALDERON, Chair

Above bill ordered to second reading.

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 1161

Assembly Bill No. 1489

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.

CALDERON, Chair

Above bills ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 310

Assembly Bill No. 901

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CALDERON, Chair

Above bills ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 1512

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

MULLIN, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1278

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

JONES, Chair

Above bill ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 598

Assembly Bill No. 970

Assembly Bill No. 1459

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bills ordered to second reading.

Committee on Governmental Organization

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 178

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: April 25, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 556

Assembly Bill No. 1266

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bills ordered to second reading.

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 748

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Joint Resolution No. 16

With the recommendation: Be adopted, as amended.

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.

OROPEZA, Chair

Above resolution ordered to second reading.

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Transportation reports:

Assembly Joint Resolution No. 18

With the recommendation: Be adopted.

OROPEZA, Chair

Above resolution ordered to third reading.

Committee on Business and Professions

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 889

Assembly Bill No. 1302

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 695

With amendments with the recommendation: Amend, and do pass, as amended.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 948

Assembly Bill No. 1256

Assembly Bill No. 1641

With the recommendation: Do pass.

NEGRETE McLEOD, Chair

Above bills ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 31

Assembly Bill No. 402

With the recommendation: Do pass.

ARAMBULA, Chair

Above bills ordered to second reading.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Concurrent Resolution No. 42

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.

ARAMBULA, Chair

Above resolution ordered to Consent Calendar.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1564

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.

ARAMBULA, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 60

Assembly Bill No. 1300

Assembly Bill No. 494

Assembly Bill No. 1358

Assembly Bill No. 1089

Assembly Bill No. 1531

Assembly Bill No. 1191

Assembly Bill No. 1610

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

- Assembly Bill No. 539
- Assembly Bill No. 917
- Assembly Bill No. 1053

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bills ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

- Assembly Bill No. 67

With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

LEVINE, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Public Safety

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 1683

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 246 | Assembly Bill No. 1169 |
| Assembly Bill No. 456 | Assembly Bill No. 1333 |
| Assembly Bill No. 484 | Assembly Bill No. 1353 |
| Assembly Bill No. 632 | Assembly Bill No. 1581 |

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Public Safety reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 312 | Assembly Bill No. 1257 |
| Assembly Bill No. 916 | Assembly Bill No. 1542 |

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills ordered to second reading.

Committee on Local Government

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Local Government reports:

- Assembly Bill No. 245

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 664

Assembly Bill No. 766

Assembly Bill No. 1507

Assembly Bill No. 1712

With the recommendation: Do pass.

JONES, Chair

Above bills ordered to second reading.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 12

With amendments with the recommendation: Amend, and do pass, as amended.

JONES, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1305

Assembly Bill No. 1540

With the recommendation: Do pass.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1715

With amendments with the recommendation: Amend, and do pass, as amended.

LENO, Chair

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 778

With amendments with the recommendation: Amend, and do pass, as amended.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 1041

With the recommendation: Do pass.

CHAVEZ, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 22

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1753

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bill ordered to second reading.

Committee on Human Services

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 503

Assembly Bill No. 1285

Assembly Bill No. 1535

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

EVANS, Chair

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 316

Assembly Bill No. 339

Assembly Bill No. 381

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.

JONES, Chair

Above bills ordered to second reading.

Committee on Higher Education

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 1070

With the recommendation: Do pass.

LIU, Chair

Above bill ordered to second reading.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Concurrent Resolution No. 34

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1592

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill ordered to second reading.

Committee on Human Services

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1697

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

EVANS, Chair

Above bill ordered to second reading.

Committee on Budget

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 239

Assembly Bill No. 725

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LAIRD, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 518

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

LAIRD, Chair

Above bill ordered to second reading.

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 127

Assembly Bill No. 128

Assembly Bill No. 129

Assembly Bill No. 130

Assembly Bill No. 131

Assembly Bill No. 132

Assembly Bill No. 133

Assembly Bill No. 134

Assembly Bill No. 135

Assembly Bill No. 136

Assembly Bill No. 137

Assembly Bill No. 138

Assembly Bill No. 139

Assembly Bill No. 140

Assembly Bill No. 141

Assembly Bill No. 142

Assembly Bill No. 143

With the recommendation: Do pass.

LAIRD, Chair

Above bills ordered to second reading.

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 144

Assembly Bill No. 145

Assembly Bill No. 146

Assembly Bill No. 147

Assembly Bill No. 148

Assembly Bill No. 149

Assembly Bill No. 150

Assembly Bill No. 151

Assembly Bill No. 152

Assembly Bill No. 153

With the recommendation: Do pass.

LAIRD, Chair

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: April 26, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1551

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: April 20, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1136

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1503

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 740

Assembly Bill No. 1212

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: April 28, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1605

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE**ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1196, 1102, and 1717, ordered to third reading;

Assembly Bills Nos. 716 and 1281, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 638—An act to add Section 33681.15 to the Health and Safety Code, relating to redevelopment.

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 Appropriations.

ASSEMBLY BILL NO. 10—An act to add Division 1.75 (commencing with Section 1195) to the Health and Safety Code, relating to health facilities.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 562—An act to add Chapter 2.20 (commencing with Section 1399.880) to Division 2 of the Health and Safety Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 813—An act to add Section 138.7 to the Health and Safety Code, relating to health.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1672—An act to add Section 684 to the Business and Professions Code, to add Sections 1250.06, 1348.5, 1378.1, and 123149.1 to the Health and Safety Code, and to add Section 10119.1 to the Insurance Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 729—An act to amend Sections 510, 1647.5, 1720, 1746, 1748, 1775.2, 1775.4, 1775.5, 12921.1, 12921.15, and 12921.3 of, and to add Sections 1681.5, 1736.5, and 1746.1 to, the Insurance Code, and to amend Section 12636.5 of, and to repeal Section 12253.5 of, the Revenue and Taxation Code, relating to insurance production agencies.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 881—An act to amend, repeal, and add Section 7125 of the Business and Professions Code, and to add and repeal Section 11665 of the Insurance Code, relating to workers' compensation.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1032—An act to amend Section 8203 of, and to add Article 7.5 (commencing with Section 8238) to Chapter 2 of Part 6 of, the Education Code, relating to child care, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1577—An act to amend Section 1040 of the Evidence Code, and to amend Sections 605, 634.5, 682, 684, 708, 708.5, 828, 1025, 1032, 1111, 1111.5, 1142, 1222, 1260, 1261, 1281, 1451, 2051, 2061, 2781, 3254.5, 9003, 9604, 9605, 9608, 9615, 9616.1, 10212.2, 11000, 11001, 11002, 11003, 11004, 13002, 13009, 13009.5, 13021, 15001, and 15005 of, to amend and renumber Sections 1256.1, 1256.2, 1256.3, 1256.5, and 1256.7 of, to add Section 1256.1 to, to repeal Sections 301.5, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 9106, 10521, 10523, 10524, 10525, and 10527 of, to repeal Article 8.5 (commencing with Section 1150) of Chapter 4 of Part 1 of Division 1 of, to repeal Division 2 (commencing with Section 5000) of, to repeal Chapter 3 (commencing with Section 10000) and Chapter 6 (commencing with Section 11010) of Part 1 of Division 3 of, and to repeal Division 4 (commencing with Section 12000) of, and to repeal and add Section 1280 of, the Unemployment Insurance Code, relating to unemployment compensation.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 478—An act to amend Sections 3419, 3423, and 6030 of, and to add Section 3424 to, the Penal Code, relating to inmates.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 117—An act to add Section 14133.06 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1671—An act to add Part 1.5 (commencing with Section 437) to Division 1 of the Health and Safety Code, relating to health care programs.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1674—An act to add Section 1342.2 to the Health and Safety Code, relating to managed health care.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 482—An act to amend Section 60640 of the Education Code, relating to pupil assessment.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 114—An act to amend Section 1109 of the Evidence Code, relating to admissibility of evidence.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 885—An act to amend Sections 2924b and 2924g of the Civil Code, relating to mortgages.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 224—An act to amend Sections 20098, 20163, 20281.5, 20340, 20752, 21151, 21220, 21221, 21224, 21225, 21226, 21227, 21359, 21540.5, 22009.1, 22150, 22155, 22202, 22203, 22208, 22302, 22308, 22560, 22873, 22874, 22876, and 22958 of, and to add Sections 22009.03 and 22156 to, the Government Code, relating to public employees' benefits.

Bill read second time; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1420—An act to add Section 35735.5 to the Education Code, relating to education finance.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1213—An act to add Section 44239.5 to the Education Code, relating to teacher credentialing.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1410—An act to add Article 3.7 (commencing with Section 52367) to Chapter 9 of Part 28 of the Education Code, relating to career technical education.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 427—An act to add Section 4453.1 to the Labor Code, relating to workers' compensation.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 7—An act to add Section 13007 to the Fish and Game Code, relating to sport fishing, and declaring the urgency thereof, to take effect immediately.

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.

ASSEMBLY BILL NO. 24—An act to amend Sections 2786 and 2787 of, and to add Sections 4801.1, 4801.2, 4801.3, and 4801.4 to, the Fish and Game Code, and to amend Section 8 of the California Wildlife Protection Act of 1990, relating to mountain lions, 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.

ASSEMBLY BILL NO. 371—An act to amend Section 5415 of the Health and Safety Code, and to amend Sections 13260, 13521, and 13523 of, and to add Sections 13552.1, 13552.5, 13555.5, and 13557 to, the Water Code, relating to water.

Bill read second time; 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.

ASSEMBLY BILL NO. 1086—An act to amend Sections 38170 and 38301 of, to amend the heading of Article 6 (commencing with Section 38319) of Chapter 5 of Division 16.5 of, and to add Section 38323 to, the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 871—An act to amend Sections 4600.3, 4600.5, and 4600.7 of, and to repeal Section 4614 of, the Labor Code, relating to workers' compensation.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1384—An act to add Section 97 to, and to amend Section 97.1 of, the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to transportation.

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.

ASSEMBLY BILL NO. 452—An act to amend Section 97.1 of, and to add and repeal Section 97.2 of, the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1699—An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, and to add Section 149.7 to the Streets and Highways Code, relating to transportation.

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.

ASSEMBLY BILL NO. 1714—An act to amend Sections 180.1, 180.7, 188.5, and 31010 of, to add Section 31010.1 to, and to repeal Sections 31015 and 31070 of, the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

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.

ASSEMBLY BILL NO. 1183—An act to amend Sections 1872, 1872.1, 1872.3, 1872.4, 1872.7, 1872.8, 1872.81, 1872.83, 1872.85, 1872.9, 1872.95, 1872.96, 1873.4, 1874.8, 1875.20, 1877.3, 1879.4, and 12964 of, and to repeal Sections 1871.4, 11760, and 11880 of, the Insurance Code, and to amend Section 138.7 of the Labor Code, and to add Sections 550.1, 550.2, 550.3, and 633.3 to, the Penal Code, relating to insurance fraud.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Public Safety.

ASSEMBLY BILL NO. 1043—An act to amend Section 481.5 of, and to repeal Section 393 of, the Insurance Code, relating to insurance premiums.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 362—An act to amend Section 13292 of the Water Code, relating to water quality control agencies.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 495—An act to amend Section 13385.1 of the Water Code, relating to water.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 597—An act to amend Sections 25395.80, 25395.81, 25395.82, 25395.84, 25395.86, and 25395.96 of the Health and Safety Code, and to amend Section 13228.14 of the Water Code, relating to response actions.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 990—An act to add Chapter 7 (commencing with Section 42880) to part 4 of Division 26 of the Health and Safety Code, relating to toxic substances.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1430—An act to amend Section 39607.5 of the Health and Safety Code, relating to air resources.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 693—An act relating to teacher preparation.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1597—An act to add Chapter 1.5 (commencing with Section 120780) to Part 4 of Division 105 of the Health and Safety Code, relating to drug paraphernalia.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1325—An act to amend Section 23109 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 944—An act to amend Section 21641 of the Business and Professions Code, to amend Section 12101 of the Health and Safety Code, to amend Sections 171b, 11106, 12001, 12035, 12036, 12070, 12072, 12076, 12078, 12082, 12084, 12086, and 12804 of, to amend, renumber, and add Sections 12071.1 and 12071.4 of, to add Sections 12071.2, 12071.3, 12071.5, 12071.6, and 12071.7 to, and to repeal and add Section 12071 of, the Penal Code, relating to firearms.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 634—An act to add Chapter 12.3 (commencing with Section 7750) to Division 3 of the Business and Professions Code, relating to international marriage brokers.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 771—An act to amend Section 11430.30 of the Government Code, and to amend Sections 30319, 30320, 30322, and 30326 of, and to repeal Sections 30323, 30324, 30327, and 30329 of, the Public Resources Code, relating to coastal resources.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1740—An act to add Section 410.44 to the Code of Civil Procedure, relating to civil procedure.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 739—An act to add Section 85310.5 to the Government Code, relating to political communications.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1760—An act to amend Sections 10234.6, 10089.79, 11691, 11692, 11692.5, 11693, and 11694 of, to add Section 11694.5 to, and to repeal Section 1660 of the Insurance Code, relating to insurance.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ADJOURNMENT

At 6:10 p.m., the Assembly adjourned until 11 a.m., Wednesday, May 4, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 3, 2005**

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
7	0513022	871	0512960
10	0512936	881	0512840
24	0512862	928	0513084
50	0512490	944	0512316
117	0513044	990	0513025
224	0513010	1032	0512541
306	0513298	1043	0512997
362	0513001	1086	0512928
371	0513024	1183	0512957
427	0512962	1213	0513125
452	0512925	1325	0512430
478	0512799	1384	0512929
482	0512942	1410	0513128
495	0513020	1420	0513186
562	0513060	1430	0513029
568	0513323	1577	0512766
597	0512954	1597	0513187
634	0512890	1671	0513050
638	0513045	1672	0513061
681	0513248	1674	0513057
693	0513157	1699	0513066
729	0512715	1708	0512980
739	0512753	1714	0512956
771	0513015	1740	0512885
813	0513063	1760	0512982
850	0513046		

Daily Total: 51

Cumulative Total: 1410

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 4, 2005

SIXTY-FIFTH SESSION DAY

ONE HUNDRED FIFTIETH 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
Wednesday, May 4, 2005

The Assembly met at 11:08 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Assistant Chief Clerk Lawrence A. Murman at the Desk.
Assistant Clerk Neva Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Bass moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 11:14 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—76:

Aghazarian	DeVore	La Malfa	Pavley
Arambula	Dymally	La Suer	Plescia
Baca	Emmerson	Laird	Richman
Bass	Evans	Leno	Ridley-Thomas
Benoit	Frommer	Levine	Runner
Berg	Garcia	Lieber	Ruskin
Bermúdez	Goldberg	Liu	Saldaña
Blakeslee	Hancock	Matthews	Salinas
Bogh	Harman	Maze	Strickland
Calderon	Haynes	Montañez	Torrico
Canciamilla	Horton, Jerome	Mountjoy	Tran
Chan	Horton, Shirley	Mullin	Umberg
Chavez	Houston	Nakanishi	Vargas
Chu	Huff	Nation	Villines
Cogdill	Jones	Nava	Walters
Cohn	Karnette	Negrete McLeod	Wolk
Coto	Keene	Niello	Wyland
Daucher	Klehns	Oropeza	Yee
De La Torre	Koretz	Parra	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Guest Chaplain Rabbi Mona Alfi:

Elie Wiesel, the Nobel Prize winner, author, human rights advocate, and Holocaust survivor, teaches that “It is incumbent upon us to remember the good we have received, and the evil we have suffered.”¹

On Yom HaShoah, Holocaust Memorial Day, Jews commemorate not only the 6 million Jews who were murdered in the Holocaust, the survivors who were left behind to rebuild their lives, and the civilization that was destroyed with them, but we also remember that in the midst of our hell there was *some* good that was received.

Over the last half century, the government of Israel has honored 11,000 people with the title of “Righteous among the Nations.” These 11,000 people risked their lives, and the lives of their own families, to save a Jew, oftentimes it was someone they didn’t even know.

In a blink of an eye a democracy turned into a dictatorship, neighbors into predators and children into informants. And yet, in the midst of this, at least 11,000 people had the courage to say no. No to hatred! No to injustice! No to genocide!

Elie Wiesel also reminds us that “there may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest (it).”²

May we on this most solemn day of remembrance never forget that regardless of the differences in our religious beliefs, the languages that we speak, or the color of our skin, we are *all* beloved to God, and should treat each other in such a manner.

May the Holy One, the Creator of *all* humanity, never fail to give us the courage to protest the unjust law or a cruel act of hatred. May it be God’s will that in our act of remembering today, that peace and comfort be granted to those who have suffered.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Ruskin then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Bass, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Leslie, McCarthy and Spitzer.

Because of illness: Assembly Member Gordon.

¹ Elie Wiesel, Nobel Lecture, December 11, 1986

² Elie Wiesel, Nobel Lecture, December 11, 1986

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 18, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez: This letter is to respectfully request an excuse from Session Wednesday, May 4, 2005. I will be attending to legislative business in my district.

If you have any questions, please contact Julie Sauls at 319-2032. Thank you for your attention to this request.

Sincerely,

KEVIN MCCARTHY, Assembly Member
 Thirty-second District

April 12, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
Room 219, State Capitol Building
Sacramento, California

Dear Mr. Speaker: I would like to be excused from session on Wednesday, May 4, 2005 for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
 Seventy-first District

(NOTE: For letter explaining the absence of Assembly Member Leslie on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 2, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

May 3, 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 Gene Mullin to replace Assemblymember Mike Gordon on the Assembly Appropriations Committee for the Wednesday, May 4 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

May 4, 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 Cindy Montañez to replace Assemblymember Dario Frommer on the Assembly Insurance Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

May 4, 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 Tom Umberg to replace Assemblymember Wilma Chan on the Budget Subcommittee No. 2 on Education Finance for today's hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

PROPOSED INITIATIVES

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated December 22, 2004, March 3, 2005, March 10, 2005, March 11, 2005, and March 15, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

School Funding Allocations.

State-Required Percentage for Direct Classroom Instruction.

Initiative Constitutional Amendment and Statute. SA 2005RF0017

Referred by the Speaker to the Committee on Education.

Charter Schools. Additional Authorization and Funding.

Initiative Statute. SA 2005RF0018

Referred by the Speaker to the Committee on Education.

Appropriation Limits. School Funding, Class Size Requirement.

Initiative Constitutional Amendment. SA 2005RF0020

Referred by the Speaker to the Committee on Education.

Appropriation Limits. Public School Funding, Class Size Requirements.

Initiative Constitutional Amendment. SA 2005RF0021

Referred by the Speaker to the Committee on Education.

**State/Local Spending Limits.
Vote Requirement for Fees/Charges. School Funding.
State Mandates. Bonds.
Initiative Constitutional Amendment. SA 2005RF0010**

Referred by the Speaker to the Committee on Budget.

**State Mandates. State/Local Spending Limits.
Vote Requirement for Fees/Charges. Bonds.
Initiative Constitutional Amendment. SA 2005RF0011**

Referred by the Speaker to the Committee on Budget.

**Fiscal Emergency. State Budget. State/Local Spending Limits.
Vote Requirement for Fees/Charges. Bonds.
Initiative Constitutional Amendment. SA 2005RF0012**

Referred by the Speaker to the Committee on Budget.

**School Funding. Fiscal Emergency. State/Local Spending Limits.
Vote Requirement for Fees/Charges.
Initiative Constitutional Amendment. SA 2005RF0013**

Referred by the Speaker to the Committee on Budget.

**State Budget. School Funding. Fiscal Emergency.
State/Local Spending Limits.
Vote Requirement for Fees/Charges. Bonds.
Initiative Constitutional Amendment. SA 2005RF0014**

Referred by the Speaker to the Committee on Budget.

**K-12 Education. Funding. Commercial Property Taxes.
Initiative Statute and Constitutional Amendment. SA 2005RF0022**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Funding K-12 Education. Commercial Property Taxes.
Initiative Statute and Constitutional Amendment. SA 2005RF0025**

Referred by the Speaker to the Committee on Revenue and Taxation.

**Corporate Tax Preferences. Same Percent Vote Requirements.
Initiative Constitutional Amendment and Statute. SA 2005RF0029**

Referred by the Speaker to the Committee on Revenue and Taxation.

**State-Negotiated Prescription Drug Rebates. Discounts.
Initiative Statute. SA 2005RF0030**

Referred by the Speaker to the Committee on Health.

**Prescription Drug Discounts. State-Negotiated Rebates.
Initiative Statute. SA 2005RF0037**

Referred by the Speaker to the Committee on Health.

**Government Spending Limits.
Initiative Constitutional Amendment. SA 2005RF0023**

Referred by the Speaker to the Committee on Budget.

**Corporate Political Contributions and Expenditures.
Stockholder Consent Requirement. Unlawful Receipt.
Initiative Statute. SA 2005RF0044**

Referred by the Speaker to the Committee on Elections and Redistricting.

**Automobile Dealers.
Buyer's Right to Cancel Purchase. Sellers Disclosures.
Initiative Statute. SA 2005RF0049**

Referred by the Speaker to the Committee on Transportation.

Vote Requirement for Fees/Charges. State and Local Appropriation Limits. School Funding. State Mandates. Bonds. Initiative Constitutional Amendment. SA 2004RF0032

Referred by the Speaker to the Committee on Budget.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 427
- Assembly Bill No. 478
- Assembly Bill No. 1740

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Joint Resolution No. 18

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 7 | Assembly Bill No. 597 |
| Assembly Bill No. 10 | Assembly Bill No. 634 |
| Assembly Bill No. 24 | Assembly Bill No. 638 |
| Assembly Bill No. 50 | Assembly Bill No. 681 |
| Assembly Bill No. 117 | Assembly Bill No. 693 |
| Assembly Bill No. 224 | Assembly Bill No. 729 |
| Assembly Bill No. 306 | Assembly Bill No. 739 |
| Assembly Bill No. 362 | Assembly Bill No. 771 |
| Assembly Bill No. 371 | Assembly Bill No. 813 |
| Assembly Bill No. 452 | Assembly Bill No. 850 |
| Assembly Bill No. 482 | Assembly Bill No. 871 |
| Assembly Bill No. 495 | Assembly Bill No. 881 |
| Assembly Bill No. 562 | Assembly Bill No. 928 |
| Assembly Bill No. 568 | Assembly Bill No. 944 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 990 | Assembly Bill No. 1430 |
| Assembly Bill No. 1032 | Assembly Bill No. 1577 |
| Assembly Bill No. 1043 | Assembly Bill No. 1597 |
| Assembly Bill No. 1086 | Assembly Bill No. 1671 |
| Assembly Bill No. 1183 | Assembly Bill No. 1672 |
| Assembly Bill No. 1213 | Assembly Bill No. 1674 |
| Assembly Bill No. 1325 | Assembly Bill No. 1699 |
| Assembly Bill No. 1384 | Assembly Bill No. 1708 |
| Assembly Bill No. 1410 | Assembly Bill No. 1714 |
| Assembly Bill No. 1420 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Cohn was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at Members' desks in the Assembly Chamber.

REQUEST FOR PHOTOGRAPHER

Assembly Member Cohn was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

JOINT RULE 62(a) WAIVED

Assembly Member Bass was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 652 for hearing in the Committee on Human Services on Wednesday, May 4, 2005, upon adjournment of Floor session.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Arts, Entertainment, Sports, Tourism, and Internet Media, on Thursday, May 5, 2005, upon adjournment of Floor Session.

At 11:20 a.m., Hon. Rebecca Cohn, 24th District, presiding

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3
BY UNANIMOUS CONSENT**

Assembly Member Levine was granted unanimous consent to take up Assembly Concurrent Resolution No. 3 out of order, for purpose of consideration.

ASSEMBLY CONCURRENT RESOLUTION NO. 3 (Cohn)—Relative to California Holocaust Memorial Week.

Resolution read, and presented by Assembly Member Levine.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 3**

Assembly Member Levine was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 3.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Levine, Lieber, Liu, Matthews, Maze, Montañez, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Levine was granted unanimous consent to take up Assembly Concurrent Resolution No. 3, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 3, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 3—Relative to California Holocaust Memorial Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS FOR HOLOCAUST MEMORIAL CEREMONY

By unanimous consent, at 11:15 a.m. Acting Speaker Cohn declared the Assembly recessed to permit the introduction of the following special guests who are Holocaust survivors: Joan Stone, Hannah Biberstein, Ernst Biberstein, John Bos, Julia Bos, Tauba Grynbaum, Gisela Spigel, Tom Szelenyi, Evelyn Szelenyi, Paul Schwarzbart, Mira Shelub, Werner Barasch, Alex Bauer, Otilia Buzinski, Adam Cintz, Judy Gach, Friedal Herscher, Cecile Iczkovitz, Boris Kapilevitch, Regina Keenan, Thomas Klein, Susan Klein, Joseph Lev, Alma Levy, Eva Maiden, Jussi Rajna, Margo Rickman, Bill Rooz, Sol Shatz, Judith Skopicki, and Marvin Bertelson, a camp liberator.

Assembly Member Cohn also recognized thirteen students from the Generation to Generation Class of Congregation Beth David's Hebrew High School and Kehillah High School, who interviewed some of the survivors; Rabbi Julius of Congregation Sinai; Rabbi Schonbrum from Congregation Beth David; and representatives from JPAC, Jewish Family Services, Sacramento Jewish Federation, and the Jewish Community Relations Council.

Assembly Member Cohn then introduced Alex Bauer whereupon he addressed the assemblage.

RECONVENED

At 12:30 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 478, 427, and 1740, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1614—An act to amend Section 214 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1630—An act to amend Sections 18622 and 19057 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 867—An act to add Division 4.5 (commencing with Section 4500) to the Elections Code, relating to voting.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1288—An act to amend Sections 136.2 and 11106 of the Penal Code, relating to court orders.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1127—An act to add and repeal Section 40904 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 571—An act to amend Sections 23538, 23578, 23646, and 23649 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 646—An act to amend Section 19.8 of, and to add Section 652 to, the Penal Code, relating to body piercing.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 454—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1433—An act to amend Section 5922 of the Government Code, relating to public finance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1161—An act to add Section 10131.02 to the Business and Professions Code, relating to real estate brokers.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1489—An act to amend Section 13082 of the Financial Code, relating to point-of-sale systems.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 310—An act to add Chapter 11 (commencing with Section 19999.8) to Part 2.6 of Division 5 of Title 2 of the Government Code, relating to investments.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 901—An act to amend Section 4970 of the Financial Code, and to amend Section 27388 of the Government Code, relating to loans.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1512—An act to amend Sections 50911, 50953, and 51504, of the Health and Safety Code, relating to housing, and making an appropriation therefor.

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 Appropriations.

ASSEMBLY BILL NO. 1278—An act to amend Sections 102425, 102426, 102430, 102440, and 103025 of the Health and Safety Code, relating to vital records.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 598—An act to add Section 511.4 to the Business and Professions Code, to amend Sections 1367 and 1375.7 of the Health and Safety Code, and to amend Sections 10133.5 and 10133.65 of the Insurance Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 970—An act to amend Section 17317 of the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1459—An act to amend Sections 116.240 and 116.940 of, and to add Sections 116.221, 116.222, 116.223, and 116.232 to, the Code of Civil Procedure, relating to small claims court.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 178—An act to add Part 8 (commencing with Section 14950) to Division 12 of the Health and Safety Code, relating to cigarettes.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 556—An act to add Sections 21669.5, 21699.7, 21669.8, and 21669.9 to, the Public Utilities Code, relating to aeronautics.

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.

ASSEMBLY BILL NO. 1266—An act to amend Section 217, 217.7, and 217.9 of, and to repeal Section 217.8 of, the Streets and Highways Code, relating to state highways.

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.

ASSEMBLY JOINT RESOLUTION NO. 16—Relative to fair and equitable treatment for truck and bus drivers.

Resolution read; amendments proposed by the Committee on Transportation read and adopted; resolution ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 695—An act to amend Section 1723 of, and to add Section 1724 to, the Civil Code, relating to retail sales.

Bill read second time; amendments proposed by the Committee on Business and Professions read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 948—An act to amend Section 20209.7 of the Public Contract Code, relating to public contracts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1256—An act to amend Section 12517.2 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1641—An act to amend Section 1794.41 of the Civil Code, relating to consumer warranties.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 31—An act relating to economic development.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 402—An act to amend Section 8709 of the Government Code, relating to borders.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1564—An act to amend Section 8330 of the Government Code, relating to information technology.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 60—An act to add Section 42238.47 to the Education Code, relating to school finance.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 494—An act to amend Section 17071.46 of the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1089—An act to add Section 51229 to the Education Code, relating to career technical programs.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1191—An act to add Article 10.7 (commencing with Section 41871) to Chapter 5 of Part 24 of the Education Code, relating to home-to-school transportation.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1300—An act to amend Section 17074.25 of the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1358—An act to amend Section 17215 of the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1531—An act to add Section 60856.1 to the Education Code, relating to academic assessment.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1610—An act to amend Sections 33054, 47605, and 47612.5 of, and to add Section 47612.6 to, the Education Code, relating to charter schools.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 539—An act to amend Sections 17072.10 and 17074.10 of the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 917—An act to add Section 52392 to the Education Code, relating to career technical education, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1053—An act to add Section 17463.7 to the Education Code, relating to public schools.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1683—An act to add Section 6608.7 to the Welfare and Institutions Code, relating to sex offenders.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 246—An act to add Section 805.1 to the Penal Code, relating to the limitation of actions.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 456—An act to add Article 3 (commencing with Section 20085) to Chapter 1 of Part 3 of Division 5 of Title 2 of the Government Code, relating to public employees' retirement.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 484—An act to amend Section 368 of the Penal Code, and to amend Section 15656 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 632—An act to add and repeal Chapter 3 (commencing with Section 9000) to Title 9 of Part 3 of the Penal Code, relating to sex offenders.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1169—An act to amend Sections 241.3, and 243.3 of, and to add Section 241.35 to, the Penal Code, relating to crimes against transit district operators.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1333—An act to add Section 374.5 to the Penal Code, relating to grease waste haulers.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1353—An act to amend Sections 11836, 11837, and 11837.3 of the Health and Safety Code, and to amend Sections 23538 and 23556 of the Vehicle Code, relating to driving under the influence.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1581—An act to amend Section 530.5 of the Penal Code, relating to identity theft.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 312—An act to add Section 1985.8 to the Code of Civil Procedure, relating to medical records.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 916—An act to amend Section 368 of the Penal Code, relating to crime.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1257—An act to add Section 311.12 to the Penal Code, relating to crime.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1542—An act to amend Section 1170.9 of the Penal Code, relating to sentencing.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 245—An act to add and repeal Section 20133.5 of the Public Contract Code, relating to public contracts.

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 Appropriations.

ASSEMBLY BILL NO. 664—An act to amend Section 1161.2 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 766—An act to add Chapter 34 (commencing with Section 22949) to Division 8 of the Business and Professions Code, relating to the Internet.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1507—An act to add Section 104113 to the Health and Safety Code, relating to public health.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1712—An act to amend Section 103627 of the Health and Safety Code and Section 18309 of the Welfare and Institutions Code, relating to domestic violence.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 12—An act to amend Sections 5000 and 21350 of, and to add Part 6 (commencing with Section 5800) to Division 5 of, the Probate Code, relating to nonprobate transfers.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1305—An act to amend Section 629.51 of the Penal Code, relating to wiretaps.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1540—An act to add Section 1473.7 to the Penal Code, relating to criminal procedure.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1715—An act to amend Section 3005 of the Penal Code, relating to parolees.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 778—An act to amend Section 11580.1 of the Insurance Code, relating to auto insurance.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1041—An act to add Chapter 4 (commencing with Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to professional sports.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 22—An act to add Section 52.8 to the Civil Code, to add Article 8.8 (commencing with Section 1038) to Chapter 4 of Division 8 of the Evidence Code, to amend Section 13956 of the Government Code, to amend Sections 181, 186.2, 273.7, and 14023 of, to add the heading of Chapter 7.5 (commencing with Section 181) to Title 7 of Part 1 of, and to add Sections 181.1, 181.2, 181.3, and 13823.18 to, the Penal Code, relating to human trafficking.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1753—An act to amend Sections 19854 and 19984 of the Business and Professions Code, and to amend Sections 330.9, 332, 337a, 337d, 337j, and 337z of the Penal Code, relating to gambling.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 503—An act to amend Sections 10500, 11004, and 11454.5 of, and to add Sections 11211.5, 11216, and 11217 to, the Welfare and Institutions Code, relating to CalWORKs, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1285—An act to amend Section 8279.7 of the Education Code, relating to child care, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1535—An act to add Section 4637.6 to the Welfare and Institutions Code, relating to developmental services.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 316—An act to amend Section 7122.2 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 339—An act to amend Section 15679.3 of the Corporations Code, relating to limited partnerships.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 381—An act to amend Section 6752 of the Family Code, relating to minors.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1070—An act to add Section 76367 to the Education Code, relating to community colleges.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1592—An act to add Sections 44238.5 and 45062 to the Education Code, relating to teachers.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1697—An act to add Section 1596.957 to the Health and Safety Code, relating to day care centers.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 518—An act to amend Section 13320 of, and to add Section 13338.5 to, the Government Code, relating to the state budget.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 127—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 128—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 129—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 130—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 131—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 132—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 133—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 134—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 135—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 136—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 137—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 138—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 139—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 140—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 141—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 142—An act relating to the Budget Act of 2005.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 143—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 144—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 145—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 146—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 147—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 148—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 149—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 150—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 151—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 152—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 153—An act relating to the Budget Act of 2005.
Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1551—An act to amend Sections 209, 220, 667.51, 667.61, 667.71, 3000, and 3001 of the Penal Code, relating to crimes.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1136—An act to amend Sections 37253, 41505, 41506, 42239, and 52890 of, and to repeal Sections 41505.5, 42239, 42239.15, and 52891 of, the Education Code, relating to instruction, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1503—An act to add Section 42238.53 to the Education Code, relating to school finance.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 740—An act to repeal and add Section 47634.5 of, and to repeal Section 47634 of, the Education Code, relating to charter schools.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1212—An act to add and repeal Chapter 19 (commencing with Section 53100) of Part 28 of the Education Code, relating to education accountability.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1605—An act to amend Sections 15634 and 15655.5 of, and to add Section 15630.1 to, the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1041 | Assembly Bill No. 1305 |
| Assembly Bill No. 1070 | Assembly Bill No. 1507 |
| Assembly Bill No. 1256 | Assembly Bill No. 1614 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 381
- Assembly Bill No. 1564

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, May 4, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 127 | Assembly Bill No. 141 |
| Assembly Bill No. 128 | Assembly Bill No. 142 |
| Assembly Bill No. 129 | Assembly Bill No. 143 |
| Assembly Bill No. 130 | Assembly Bill No. 144 |
| Assembly Bill No. 131 | Assembly Bill No. 145 |
| Assembly Bill No. 132 | Assembly Bill No. 146 |
| Assembly Bill No. 133 | Assembly Bill No. 147 |
| Assembly Bill No. 134 | Assembly Bill No. 148 |
| Assembly Bill No. 135 | Assembly Bill No. 149 |
| Assembly Bill No. 136 | Assembly Bill No. 150 |
| Assembly Bill No. 137 | Assembly Bill No. 151 |
| Assembly Bill No. 138 | Assembly Bill No. 152 |
| Assembly Bill No. 139 | Assembly Bill No. 153 |
| Assembly Bill No. 140 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Bass was granted unanimous consent that Assembly Bill No. 427 be referred from the second reading file to the Committee on Appropriations.

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:
Thursday, May 5, 2005, Floor Session, at 9:30 a.m.;
Monday, May 9, 2005, Floor Session, at 9:30 a.m.

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 Fred Diament, of Studio City.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Timothy C. Kiser and Sgt. 1st Class Allen C. Johnson, of Tehama.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles K. (Bud) De Young and Dean Charles De Carli, of Stockton.

Assembly Member Arambula was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joanna Aparicio, of Fresno.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Beatrice Burton, of Dublin.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Whiteley, of San Rafael.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rick Piercy, of Victorville.

MOTION TO ADJOURN

At 12:37 p.m., Assembly Member Cohn moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:38 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES
Committee on Health

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 1586

With the recommendation: Do pass.

CHAN, Chair

Above bill ordered to second reading.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 1434

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CHAN, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Concurrent Resolution No. 54

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.

CHAN, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Health reports:
Assembly Bill No. 77
Assembly Bill No. 467

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.

CHAN, Chair

Above bills ordered to second reading.

Committee on Elections and Redistricting

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:
Assembly Bill No. 1129
Assembly Bill No. 1758

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 bills be placed on the Consent Calendar.

UMBERG, Chair

Above bills ordered to second reading.

Committee on Human Services

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Human Services reports:
Assembly Bill No. 652

With amendments with the recommendation: Amend, and re-refer to the Committee on Human Services.

EVANS, Chair

Above bill ordered to second reading.

Committee on Elections and Redistricting

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Joint Resolution No. 19

With the recommendation: Be adopted.

UMBERG, Chair

Above resolution ordered to third reading.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 1756

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.

UMBERG, Chair

Above bill ordered to second reading.

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Elections and Redistricting reports:

Assembly Bill No. 1096

Assembly Bill No. 1309

With the recommendation: Do pass.

UMBERG, Chair

Above bills ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 619

Assembly Bill No. 1227

Assembly Bill No. 712

Assembly Bill No. 1233

Assembly Bill No. 1098

Assembly Bill No. 1390

With the recommendation: Do pass.

MULLIN, Chair

Above bills ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 457

Assembly Bill No. 1008

Assembly Bill No. 458

Assembly Bill No. 1405

Assembly Bill No. 538

With the recommendation: Do pass.

TORRICO, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1771

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

TORRICO, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Transportation reports:
Assembly Joint Resolution No. 21

With the recommendation: Be adopted, as amended.

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.

OROPEZA, Chair

Above resolution ordered to second reading.

Committee on Insurance

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1120

Assembly Bill No. 1737

Assembly Bill No. 1123

Assembly Bill No. 1761

Assembly Bill No. 1634

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.

VARGAS, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Insurance reports:
Assembly Bill No. 1640

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Utilities and Commerce

Date of Hearing: May 2, 2005

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 610

With amendments with the recommendation: Amend, and do pass, as amended.

LEVINE, Chair

Above bill ordered to second reading.

AUTHOR'S AMENDMENTS

Committee on Revenue and Taxation

May 4, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 722

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KLEHS, Chair

ASSEMBLY BILL NO. 722—An act to amend Section 214.1 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

INTRODUCTION OF GUESTS

Assembly Member Vargas, of the 79th Assembly District, introduced visitors from the South Bay Christian Academy in San Diego.

Assembly Member Garcia, of the 80th Assembly District, introduced Juan Carlos Sanchez.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Cohn, the Assembly adjourned until 9:30 a.m., Thursday, May 5, 2005, out of respect to the memory of Fred Diament, on motion of Assembly Member Koretz; out of respect to the memory of Sgt. Timothy C. Kiser and Sgt. 1st Class Allen C. Johnson, on motion of Assembly Member La Malfa; out of respect to the memory of Charles K. (Bud) De Young and Dean Charles De Carli, on motion of Assembly Member Aghazarian; out of respect to the memory of Joanna Aparicio, on motion of Assembly Member Arambula; out of respect to the memory of Beatrice Burton, on motion of Assembly Member Houston; out of respect to the memory of Robert Whiteley, on motion of Assembly Member Nation; and out of respect to the memory of Rick Piercy, on motion of Assembly Member Runner.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MAY 4, 2005

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
12	0512923	1136	0513316
22	0513331	1169	0513000
60	0513167	1191	0513101
178	0513272	1212	0513364
245	0513297	1257	0513255
246	0512985	1266	0513280
310	0513310	1278	0513004
312	0513179	1285	0513092
454	0513097	1288	0513002
456	0513006	1300	0513169
484	0512993	1333	0512992
494	0513185	1353	0512995
503	0512910	1358	0513100
518	0513122	1459	0512886
539	0513182	1503	0513361
556	0512946	1512	0513080
571	0513034	1531	0513099
598	0513106	1535	0513040
632	0513009	1542	0513176
646	0512991	1551	0513359
695	0513073	1581	0512996
722	0513173	1592	0513305
740	0513283	1605	0513150
778	0513221	1610	0513166
867	0513117	1683	0512964
901	0512833	1697	0513333
916	0513256	1715	0512043
917	0513109	1753	0512937
970	0513032		
1053	0513105	AJR	RN
1089	0513103	16	0512875
1127	0512434		

Daily Total:	61
Cumulative Total:	1471

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 5, 2005

SIXTY-SIXTH SESSION DAY

ONE HUNDRED FIFTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(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
Thursday, May 5, 2005

The Assembly met at 9:33 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy moved a quorum call of the Assembly.
Motion carried.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:42 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—73:

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Klehs	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescia	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

Lord, Since You are our light and our salvation, we have nothing to fear. You protect us from all danger, so there is no need to be afraid. Lord, teach us what You would have us do and lead us on a safe path. The one thing that we desire is to see Your goodness in this present life, for we trust in You and have faith in You. Give us the confidence to draw near to the throne of grace, that we may receive mercy and find the grace to help us in our time of need.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member La Suer then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Vargas, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Jerome E. Horton, Leslie, Levine, Maze and Runner.

On legislative business, per diem waived for the 2005–2006 Session (See Assembly Journal, page 63): Assembly Member Wolk.

Because of illness: Assembly Member Gordon.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 4, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Floor Session on May 5, 2005, to attend a lunch meeting in Silicon Valley. I will return to Sacramento on Monday, May 9, 2005, in time for Assembly Floor Session.

I want to thank you in advance for your consideration of this request and if you have any questions, I can be reached at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
Fifty-first District

May 2, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Thursday, May 5, 2005, for legislative business. I will be attending the Annual commemoration for Yom Hashoah, Holocaust Remembrance Day in my district.

Thank you for your consideration of my request. Should you have any questions please contact my office.

Sincerely,

LLOYD E. LEVINE, Assembly Member
Fortieth District

April 13, 2005

Speaker Fabian Núñez
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez,

I respectfully request your permission to be excused from Session on Thursday, May 5, 2005, so that I may be in my district on district-related business to attend a Mayor's event in Visalia.

Please contact my office with any questions. Thank you in advance for your consideration of my request.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

April 4, 2005

The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez: I am writing to request an excused absence for May 5, 2005. I will be in my district on legislative business, speaking at several events for the National Day of Prayer.

Should you have any questions regarding this request, please contact Aaron Bone in my office at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member
Thirty-sixth District

May 5, 2005

*The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez: I respectfully request to be excused from Floor Session today, May 5, 2005, due to legislative business.

If you have any questions or concerns, please contact Jenn Short, my scheduler, at 319-2008.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

(NOTE: For letter explaining the absence of Assembly Member Leslie on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 2, 2005.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

May 4, 2005

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Dave Jones to replace Assemblymember Jerome Horton on the Assembly Arts, Entertainment, Sports, Tourism and Internet Media Committee for the Thursday, May 5 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

May 5, 2005

*Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of John Perez
to California Postsecondary Education Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. John Perez to the California Postsecondary Education Commission. This is a term appointment starting May 5, 2005 and the expiration date is December 31, 2010. Mr. Perez will be replacing Guillermo Rodriguez.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly</i>	
<i>Bill No.</i>	<i>Committee</i>
1598 -----	Agri.
<i>Assembly Concurrent</i>	
<i>Resolution No.</i>	<i>Committee</i>
62 -----	Rls.
63 -----	Trans.
64 -----	A.,E.,S.,T., & I.M.
65 -----	Trans.
<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
295 -----	Agri.

**REPORTS OF STANDING COMMITTEES
Committee on Appropriations**

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 17	Assembly Bill No. 764
Assembly Bill No. 21	Assembly Bill No. 801
Assembly Bill No. 180	Assembly Bill No. 817
Assembly Bill No. 211	Assembly Bill No. 852
Assembly Bill No. 273	Assembly Bill No. 862
Assembly Bill No. 443	Assembly Bill No. 911
Assembly Bill No. 512	Assembly Bill No. 938
Assembly Bill No. 601	Assembly Bill No. 967
Assembly Bill No. 755	

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 985	Assembly Bill No. 1317
Assembly Bill No. 996	Assembly Bill No. 1359
Assembly Bill No. 1060	Assembly Bill No. 1365
Assembly Bill No. 1113	Assembly Bill No. 1462
Assembly Bill No. 1114	Assembly Bill No. 1497
Assembly Bill No. 1118	Assembly Bill No. 1499
Assembly Bill No. 1194	Assembly Bill No. 1567
Assembly Bill No. 1252	Assembly Bill No. 1655
Assembly Bill No. 1311	

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 110 | Assembly Bill No. 621 |
| Assembly Bill No. 179 | Assembly Bill No. 637 |
| Assembly Bill No. 193 | Assembly Bill No. 706 |
| Assembly Bill No. 393 | Assembly Bill No. 720 |
| Assembly Bill No. 462 | Assembly Bill No. 800 |
| Assembly Bill No. 497 | Assembly Bill No. 878 |
| Assembly Bill No. 551 | Assembly Bill No. 892 |
| Assembly Bill No. 578 | |

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 998 | Assembly Bill No. 1366 |
| Assembly Bill No. 1044 | Assembly Bill No. 1480 |
| Assembly Bill No. 1054 | Assembly Bill No. 1584 |
| Assembly Bill No. 1093 | Assembly Bill No. 1602 |
| Assembly Bill No. 1166 | Assembly Bill No. 1636 |
| Assembly Bill No. 1249 | Assembly Bill No. 1646 |
| Assembly Bill No. 1351 | Assembly Bill No. 1687 |

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1738 | Assembly Bill No. 1755 |
| Assembly Bill No. 1745 | Assembly Bill No. 1759 |
| Assembly Bill No. 1748 | |

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.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 1071

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Bill No. 102
- Assembly Bill No. 584
- Assembly Bill No. 1143

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 bills be placed on the Consent Calendar.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 657

Assembly Bill No. 671

Assembly Bill No. 1533

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 46

Assembly Concurrent Resolution No. 52

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 resolutions be placed on the Consent Calendar.

CHU, Chair

Above resolutions ordered to the Consent Calendar.

Committee on Governmental Organization

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1559

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 767

Assembly Bill No. 937

With the recommendation: Do pass.

JEROME HORTON, Chair

Above bills ordered to second reading.

Committee on Appropriations

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1116

With amendments with the recommendation: Amend, and do pass, as amended.

CHU, Chair

Above bill ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 909

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CHU, Chair

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 818
Assembly Bill No. 1746

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.

SALINAS, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 159
Assembly Bill No. 459
Assembly Bill No. 1329
Assembly Bill No. 1448
Assembly Bill No. 1511

With the recommendation: Do pass.

SALINAS, Chair

Above bills ordered to second reading.

Committee on Governmental Organization

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 203
Assembly Bill No. 417
Assembly Bill No. 449
Assembly Bill No. 1442
Assembly Bill No. 1752

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.

JEROME HORTON, Chair

Above bills ordered to second reading.

Committee on Local Government

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Constitutional Amendment No. 7
Assembly Constitutional Amendment No. 16

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above resolutions re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 66
Assembly Bill No. 659
Assembly Bill No. 1377
Assembly Bill No. 1667
Assembly Bill No. 1695

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 605

Assembly Bill No. 756

Assembly Bill No. 1685

With the recommendation: Do pass.

GOLDBERG, Chair

Above bills ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1319

With the recommendation: Do pass, and be re-referred to the Committee on Higher Education.

GOLDBERG, Chair

Above bill re-referred to the Committee on Higher Education.

Committee on Local Government

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1457

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.

SALINAS, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: April 27, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 999

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CHU, Chair

Above bill ordered to second reading.

Committee on Labor and Employment

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 1012

With amendments with the recommendation: Amend, and do pass, as amended.

KORETZ, Chair

Above bill ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 879

With the recommendation: Do pass.

KORETZ, Chair

Above bill ordered to second reading.

Committee on Education

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1228

Assembly Bill No. 1496

Assembly Bill No. 1570

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Education reports:

Assembly Concurrent Resolution No. 30

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.

GOLDBERG, Chair

Above resolution ordered to Consent Calendar.

Committee on Insurance

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1084

With amendments with the recommendation: Amend, and do pass, as amended.

VARGAS, Chair

Above bill ordered to second reading.

Date of Hearing: May 4, 2005

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 521

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: May 3, 2005

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 599

Assembly Bill No. 1711

With amendments with the recommendation: Amend, and do pass, as amended.

CHAN, Chair

Above bills ordered to second reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 12

Assembly Bill No. 1288

Assembly Bill No. 695

Assembly Bill No. 1715

Assembly Bill No. 778

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1760

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 19

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 54

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 16

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 22 | Assembly Bill No. 556 |
| Assembly Bill No. 60 | Assembly Bill No. 571 |
| Assembly Bill No. 178 | Assembly Bill No. 598 |
| Assembly Bill No. 245 | Assembly Bill No. 632 |
| Assembly Bill No. 246 | Assembly Bill No. 646 |
| Assembly Bill No. 310 | Assembly Bill No. 722 |
| Assembly Bill No. 312 | Assembly Bill No. 740 |
| Assembly Bill No. 454 | Assembly Bill No. 867 |
| Assembly Bill No. 456 | Assembly Bill No. 901 |
| Assembly Bill No. 484 | Assembly Bill No. 916 |
| Assembly Bill No. 494 | Assembly Bill No. 917 |
| Assembly Bill No. 503 | Assembly Bill No. 970 |
| Assembly Bill No. 518 | Assembly Bill No. 1053 |
| Assembly Bill No. 539 | Assembly Bill No. 1089 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1127	Assembly Bill No. 1503
Assembly Bill No. 1136	Assembly Bill No. 1512
Assembly Bill No. 1169	Assembly Bill No. 1531
Assembly Bill No. 1191	Assembly Bill No. 1535
Assembly Bill No. 1212	Assembly Bill No. 1542
Assembly Bill No. 1257	Assembly Bill No. 1551
Assembly Bill No. 1266	Assembly Bill No. 1581
Assembly Bill No. 1278	Assembly Bill No. 1592
Assembly Bill No. 1285	Assembly Bill No. 1605
Assembly Bill No. 1300	Assembly Bill No. 1610
Assembly Bill No. 1333	Assembly Bill No. 1683
Assembly Bill No. 1353	Assembly Bill No. 1697
Assembly Bill No. 1358	Assembly Bill No. 1753
Assembly Bill No. 1459	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

BILLS REMOVED FROM CONSENT CALENDAR

The following bills were removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Bills Nos. 1576 and 1051, on request of Assembly Member Plescia.

RE-REFERENCE OF BILLS

Assembly Member Cohn was granted unanimous consent that Assembly Bill No. 67 be re-referred from the Committee on Judiciary to the Committee on Appropriations.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Cohn was granted unanimous consent that Assembly Bill No. 31 be referred from the third reading file to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 695, 12, 1715, and 778, ordered to third reading;

(NOTE: Later this day Assembly Bills Nos. 12 and 1715 were re-referred to the Committee on Appropriations.)

Assembly Bill No. 1288, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1586—An act to amend Section 1365.5 of the Health and Safety Code, and to amend Section 679.71 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 77—An act to amend Section 14132.01 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 467—An act to add Section 5775.5 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1129—An act to amend Section 9022 of the Elections Code, relating to elections.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1758—An act to amend Section 10510 of the Elections Code, relating to special district elections.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 652—An act to add Section 12315 to the Welfare and Institutions Code, relating to in-home supportive services.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Human Services.

ASSEMBLY BILL NO. 1756—An act to amend Section 36801 of the Government Code, relating to city government.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1096—An act to amend Sections 3009 and 3017 of the Elections Code, relating to ballots.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1309—An act to amend Section 4001 of the Elections Code, relating to mail ballot elections.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 619—An act to amend Sections 1351, 1363.05, 1365.1, 1366.3, 1367.1, and 1368 of, and to add Section 1367.2 to, the Civil Code, relating to common interest developments.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 712—An act to amend Section 65863 of the Government Code, relating to land use.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1098—An act to amend Section 1365.2 of the Civil Code, relating to common interest developments.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1227—An act to amend Section 65008 of the Government Code, relating to housing discrimination.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1233—An act to amend Sections 65583.2 and 65584 of the Government Code, relating to local planning.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1390—An act to amend Section 33334.2 of, and to amend and repeal Section 33413 of, the Health and Safety Code, relating to housing.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 457—An act relating to public employees' retirement.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 458—An act relating to public employees' retirement.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 538—An act to amend Sections 31453, 31454, and 31454.1 of the Government Code, relating to county employees’ retirement.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1008—An act to add Section 31682.2 to the Government Code, relating to county employees’ retirement.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1405—An act to amend Section 31453 of the Government Code, relating to county retirement systems.

Bill read second time, and ordered to third reading.

ASSEMBLY JOINT RESOLUTION NO. 21—Relative to port customs revenue.

Resolution read; amendments proposed by the Committee on Transportation read and adopted; resolution ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1120—An act to amend Section 11623 of the Insurance Code, relating to auto insurance.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1123—An act to add Section 678.3 to the Insurance Code, relating to insurer liability.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1634—An act to amend Section 38 of the Insurance Code, relating to notice.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1737—An act to amend Sections 62.5, 4062.3, 5307.1, and 6434 of the Labor Code, relating to workers’ compensation.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1761—An act to add Section 1033.5 to the Insurance Code, relating to insolvency.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 610—An act to amend Section 2890.2 of the Public Utilities Code, relating to telecommunications.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be returned to the second reading file.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1586 | Assembly Bill No. 458 |
| Assembly Bill No. 1309 | Assembly Bill No. 538 |
| Assembly Bill No. 1227 | Assembly Bill No. 1008 |
| Assembly Bill No. 1233 | Assembly Bill No. 1405 |
| Assembly Bill No. 457 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 5, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1756

Assembly Bill No. 1737

Assembly Bill No. 1120

Assembly Bill No. 1761

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bills were ordered re-referred to the Committee on Appropriations.

Assembly Bills Nos. 12 and 1715.

BILLS REMOVED FROM CONSENT CALENDAR

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Assembly Bill No. 573, on request of Assembly Member Bogh.

(NOTE: Later this day, the action was rescinded whereby Assembly Bill No. 573 was removed from the Consent Calendar. See page 1391.)

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 414 (Klehs)—An act to amend Section 1771.7 of the Labor Code, relating to labor compliance programs.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Klehs moved a call of the Assembly.

Motion carried. Time, 9:57 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 507 (Daucher)—An act to add Chapter 3.34 (commencing with Section 1596.55) to Division 2 of the Health and Safety Code, and to amend Section 11105 of the Penal Code, relating to criminal history checks.

Bill read third time, and passed by the following vote:

AYES—63

Aghazarian	De La Torre	La Malfa	Parra
Arambula	DeVore	La Suer	Pavley
Baca	Dymally	Laird	Plescia
Bass	Emmerson	Lieber	Richman
Berg	Evans	Liu	Ridley-Thomas
Bermúdez	Garcia	Matthews	Ruskin
Blakeslee	Goldberg	McCarthy	Saldaña
Bogh	Hancock	Montañez	Salinas
Calderon	Harman	Mountjoy	Spitzer
Canciamilla	Horton, Shirley	Mullin	Torrice
Chan	Huff	Nakanishi	Vargas
Chavez	Jones	Nation	Villines
Chu	Karnette	Nava	Wyland
Cohn	Keene	Negrete McLeod	Yee
Coto	Klehs	Niello	Mr. Speaker
Daucher	Koretz	Oropeza	

NOES—5

Houston	Strickland	Walters
Leno	Umberg	

Vote Changes

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 507: Assembly Member Umberg from “Aye” to “No”; Assembly Member Mountjoy from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 635 (Bermudez)—An act to amend Section 19961 of, and to add Section 19961.05 to, the Business and Professions Code, relating to gambling.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Bermúdez moved a call of the Assembly.

Motion carried. Time, 10:08 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 794 (Chu)—An act to amend Section 6254 of the Government Code, relating to public records.

Bill read third time, and passed by the following vote:

AYES—43

Arambula	De La Torre	Leno	Pavley
Baca	Dymally	Lieber	Ridley-Thomas
Bass	Evans	Liu	Ruskin
Berg	Frommer	Matthews	Saldaña
Bermúdez	Goldberg	Montañez	Salinas
Calderon	Hancock	Mullin	Torrico
Canciamilla	Jones	Nation	Umberg
Chan	Karnette	Nava	Vargas
Chavez	Klehns	Negrete McLeod	Yee
Chu	Koretz	Oropeza	Mr. Speaker
Coto	Laird	Parra	

NOES—28

Aghazarian	Emmerson	Keene	Plescia
Benoit	Garcia	La Malfa	Spitzer
Blakeslee	Harman	La Suer	Strickland
Bogh	Haynes	McCarthy	Tran
Cogdill	Horton, Shirley	Mountjoy	Villines
Daucher	Houston	Nakanishi	Walters
DeVore	Huff	Niello	Wyland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 837 (Benoit)—An act to add Section 10110.5 to the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Klehns	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 608 (Calderon)—An act to amend Sections 789.10 and 10127.7 of the Insurance Code, relating to life insurance.

Bill read third time, and passed by the following vote:

AYES—70

Aghazarian	De La Torre	La Suer	Richman
Arambula	DeVore	Laird	Ridley-Thomas
Baca	Dymally	Leno	Ruskin
Bass	Emmerson	Lieber	Saldaña
Benoit	Evans	Liu	Salinas
Berg	Frommer	Matthews	Spitzer
Bermúdez	Garcia	McCarthy	Strickland
Blakeslee	Harman	Montañez	Torrigo
Bogh	Haynes	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Negrete McLeod	Walters
Chu	Karnette	Niello	Wyland
Cogdill	Keene	Oropeza	Yee
Cohn	Klehns	Parra	Mr. Speaker
Coto	Koretz	Pavley	
Daucher	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 226 (Negrete McLeod)—An act to amend Section 473.4 of the Business and Professions Code, relating to regulatory programs.

Bill read third time, and passed by the following vote:

AYES—72

Aghazarian	De La Torre	La Malfa	Pavley
Arambula	DeVore	La Suer	Plescia
Baca	Dymally	Laird	Richman
Bass	Emmerson	Leno	Ridley-Thomas
Benoit	Evans	Lieber	Ruskin
Berg	Frommer	Liu	Saldaña
Bermúdez	Garcia	Matthews	Salinas
Blakeslee	Goldberg	McCarthy	Spitzer
Bogh	Hancock	Montañez	Strickland
Calderon	Harman	Mountjoy	Torrigo
Canciamilla	Horton, Shirley	Mullin	Tran
Chan	Houston	Nakanishi	Umberg
Chavez	Huff	Nation	Vargas
Chu	Jones	Nava	Villines
Cogdill	Karnette	Negrete McLeod	Walters
Cohn	Keene	Niello	Wyland
Coto	Klehns	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 849 (Berg)—An act to add Chapter 2.5 (commencing with Section 7059.5) to Part 1.7 of Division 6 of the Fish and Game Code, relating to fisheries.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrigo
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Klehs	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescía	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 113 (Cohn)—An act to amend Section 3003 of the Penal Code, relating to parole.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	De La Torre	La Suer	Plescía
Arambula	DeVore	Laird	Richman
Baca	Dymally	Leno	Ridley-Thomas
Bass	Emmerson	Lieber	Ruskin
Benoit	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Garcia	McCarthy	Spitzer
Blakeslee	Harman	Montañez	Strickland
Bogh	Haynes	Mountjoy	Torrigo
Calderon	Horton, Shirley	Mullin	Tran
Canciamilla	Houston	Nakanishi	Umberg
Chan	Huff	Nation	Vargas
Chavez	Jones	Nava	Villines
Chu	Karnette	Negrete McLeod	Walters
Cogdill	Keene	Niello	Wyland
Cohn	Klehs	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 113: Assembly Member Goldberg from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 530 (Plescia)—An act to add Section 14123.05 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Kleh	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 587 (Negrete McLeod)—An act to amend Sections 22874 and 22876 of the Government Code, relating to public employees' health benefits.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Kleh	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1641 (Harman)—An act to amend Section 1794.41 of the Civil Code, relating to consumer warranties.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Klehs	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 127 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 128 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 129 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 130 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Kleh	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 131 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Kleh	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 132 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 133 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 134 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 135 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 136 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 137 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 138 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Kleh	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 139 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Kleh	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 140 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 141 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 142 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 143 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 144 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 145 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 146 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Kleh	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 147 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Kleh	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 148 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 149 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrigo
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 150 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 151 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 152 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 153 (Committee on Budget)—An act relating to the Budget Act of 2005.

Bill read third time, presented by Assembly Member Laird, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

REQUEST TO SUSPEND RULES

Assembly Member Cohn requested unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media to meet upon adjournment of Floor Session today for purpose of hearing Assembly Bill No. 450.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Joint Rule 62(a)

Assembly Member Cohn moved that Joint Rule 62(a) be suspended to permit the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media to meet upon adjournment of Floor Session today, for the purpose of hearing Assembly Bill No. 450.

Assembly Member Vargas seconded the motion.

Motion for suspension of the rules carried by the following vote:

AYES—43

Arambula	Coto	Laird	Pavley
Baca	De La Torre	Leno	Ridley-Thomas
Bass	Dymally	Lieber	Ruskin
Berg	Evans	Liu	Saldaña
Bermúdez	Frommer	Matthews	Salinas
Calderon	Goldberg	Montañez	Torrico
Canciamilla	Hancock	Mullin	Umberg
Chan	Jones	Nation	Vargas
Chavez	Karnette	Nava	Yee
Chu	Klehns	Negrete McLeod	Mr. Speaker
Cohn	Koretz	Parra	

NOES—28

Aghazarian	Emmerson	Keene	Richman
Benoit	Garcia	La Malfa	Spitzer
Blakeslee	Harman	La Suer	Strickland
Bogh	Haynes	McCarthy	Tran
Cogdill	Horton, Shirley	Nakanishi	Villines
Daucher	Houston	Niello	Walters
DeVore	Huff	Plescia	Wyland

REQUEST TO SUSPEND ASSEMBLY RULES 69(b) AND (d)

Assembly Member Cohn requested unanimous consent to suspend Assembly Rules 69(b) and (d) to permit consideration of proposed amendments to Assembly Bill No. 68, and further consideration of the bill, as amended, without reference to file.

Assembly Member Cogdill withheld consent.

Motion to Suspend Assembly Rules 69(b) and (d)

Assembly Member Cohn moved that Assembly Rule 69(b) and (d) be suspended to permit consideration of proposed amendments to Assembly Bill No. 68, and further consideration of the bill, as amended, without reference to file.

Assembly Member Vargas seconded the motion.

Motion for the suspension of the rules carried by the following vote:

AYES—44

Arambula	Coto	Laird	Parra
Baca	De La Torre	Leno	Pavley
Bass	Dymally	Lieber	Ridley-Thomas
Berg	Evans	Liu	Ruskin
Bermúdez	Frommer	Matthews	Saldaña
Calderon	Goldberg	Montañez	Salinas
Canciamilla	Hancock	Mullin	Torrico
Chan	Jones	Nation	Umberg
Chavez	Karnette	Nava	Vargas
Chu	Klehns	Negrete McLeod	Yee
Cohn	Koretz	Oropeza	Mr. Speaker

NOES—29

Aghazarian	Garcia	La Suer	Strickland
Benoit	Harman	McCarthy	Tran
Blakeslee	Haynes	Mountjoy	Villines
Bogh	Horton, Shirley	Nakanishi	Walters
Cogdill	Houston	Niello	Wyland
Daucher	Huff	Plescia	
DeVore	Keene	Richman	
Emmerson	La Malfa	Spitzer	

ACTION RESCINDED ON ASSEMBLY BILL NO. 573

Assembly Member Bogh was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 1370), Assembly Bill No. 573 was removed from the Consent Calendar.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 483 (Nunez)—An act to amend Sections 18804 and 18808 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—72

Aghazarian	De La Torre	La Malfa	Pavley
Arambula	DeVore	La Suer	Plescia
Baca	Dymally	Laird	Richman
Bass	Emmerson	Leno	Ridley-Thomas
Benoit	Evans	Lieber	Ruskin
Berg	Frommer	Liu	Saldaña
Bermúdez	Garcia	Matthews	Salinas
Blakeslee	Goldberg	McCarthy	Spitzer
Bogh	Hancock	Montañez	Strickland
Calderon	Harman	Mountjoy	Torrico
Canciamilla	Horton, Shirley	Mullin	Tran
Chan	Houston	Nakanishi	Umberg
Chavez	Huff	Nation	Vargas
Chu	Jones	Nava	Villines
Cogdill	Karnette	Negrete McLeod	Walters
Cohn	Keene	Niello	Wyland
Coto	Kleh	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker

NOES—1

Haynes

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 588 (Goldberg)—An act to add Section 11093.4 to the Government Code, relating to statistical districts.

Bill read third time, and passed by the following vote:

AYES—63

Aghazarian	De La Torre	Koretz	Pavley
Arambula	Dymally	Laird	Richman
Baca	Emmerson	Leno	Ridley-Thomas
Bass	Evans	Lieber	Ruskin
Berg	Frommer	Liu	Saldaña
Bermúdez	Garcia	Matthews	Salinas
Bogh	Goldberg	McCarthy	Spitzer
Calderon	Hancock	Montañez	Torrico
Canciamilla	Harman	Mullin	Tran
Chan	Horton, Shirley	Nakanishi	Umberg
Chavez	Houston	Nation	Vargas
Chu	Huff	Nava	Villines
Cogdill	Jones	Negrete McLeod	Walters
Cohn	Karnette	Niello	Yee
Coto	Keene	Oropeza	Mr. Speaker
Daucher	Kleh	Parra	

NOES—9

Blakeslee	La Malfa	Plescia
DeVore	La Suer	Strickland
Haynes	Mountjoy	Wyland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1230 (Ridley-Thomas)—An act to add Section 33200.5 to the Government Code, relating to health care.

Bill read third time, and passed by the following vote:

AYES—72

Aghazarian	De La Torre	Koretz	Pavley
Arambula	DeVore	La Malfa	Plescia
Baca	Dymally	La Suer	Richman
Bass	Emmerson	Laird	Ridley-Thomas
Benoit	Evans	Leno	Ruskin
Berg	Frommer	Lieber	Saldaña
Bermúdez	Garcia	Liu	Salinas
Blakeslee	Goldberg	Matthews	Spitzer
Bogh	Hancock	McCarthy	Strickland
Calderon	Harman	Montañez	Torrico
Canciamilla	Haynes	Mountjoy	Tran
Chan	Horton, Shirley	Mullin	Umberg
Chavez	Houston	Nation	Vargas
Chu	Huff	Nava	Villines
Cogdill	Jones	Negrete McLeod	Walters
Cohn	Karnette	Niello	Wyland
Coto	Keene	Oropeza	Yee
Daucher	Klehns	Parra	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 747 (Blakeslee)—An act to add Section 19991.12 to the Government Code, relating to public employment.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Klehns	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1059 (Committee on Agriculture)—An act to add Section 56382.8 to the Food and Agricultural Code, relating to growers , and making an appropriation therefor.

Bill read third time, presented by Assembly Member Matthews, and passed by the following vote:

AYES—70

Aghazarian	DeVore	La Malfa	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Bogh	Hancock	Montañez	Torrico
Calderon	Harman	Mullin	Tran
Canciamilla	Haynes	Nakanishi	Umberg
Chan	Horton, Shirley	Nation	Vargas
Chavez	Houston	Nava	Villines
Chu	Huff	Negrete McLeod	Walters
Cogdill	Jones	Niello	Wyland
Cohn	Karnette	Oropeza	Yee
Coto	Keene	Parra	Mr. Speaker
Daucher	Klehns	Pavley	
De La Torre	Koretz	Plescia	

NOES—1

Mountjoy

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1059: Assembly Member Blakeslee from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1492 (Evans)—An act to add Section 51220.7 to the Education Code, relating to pupil instruction.

Bill read third time, and passed by the following vote:

AYES—55

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Garcia	Montañez	Strickland
Blakeslee	Goldberg	Mullin	Torrico
Bogh	Hancock	Nakanishi	Tran
Calderon	Horton, Shirley	Nation	Umberg
Canciamilla	Huff	Nava	Vargas
Chan	Jones	Negrete McLeod	Walters
Chavez	Karnette	Oropeza	Wyland
Chu	Klehns	Parra	Yee
Cohn	Koretz	Pavley	Mr. Speaker
Coto	Laird	Richman	

NOES—14

Aghazarian	Haynes	La Suer	Spitzer
Daucher	Houston	Mountjoy	Villines
DeVore	Keene	Niello	
Harman	La Malfa	Plescia	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1256 (Bermudez)—An act to amend Section 12517.2 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—60

Aghazarian	Daucher	Karnette	Nava
Baca	De La Torre	Keene	Niello
Bass	DeVore	Klehs	Plescia
Benoit	Dymally	Koretz	Richman
Berg	Emmerson	La Malfa	Ridley-Thomas
Bermúdez	Evans	La Suer	Ruskin
Blakeslee	Frommer	Laird	Saldaña
Bogh	Garcia	Leno	Strickland
Calderon	Goldberg	Liu	Torrigo
Canciamilla	Hancock	Matthews	Tran
Chan	Haynes	McCarthy	Umberg
Chavez	Horton, Shirley	Montañez	Villines
Chu	Houston	Mountjoy	Walters
Cogdill	Huff	Mullin	Yee
Cohn	Jones	Nakanishi	Mr. Speaker

NOES—5

Arambula	Parra	Wyland
Coto	Spitzer	

Bill ordered transmitted to the Senate.

At 10:53 a.m., Assistant Speaker pro Tempore Sally Lieber, 22nd District, presiding

ASSEMBLY BILL NO. 664 (Jones)—An act to amend Section 1161.2 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read third time, and passed by the following vote:

AYES—44

Arambula	Coto	Laird	Parra
Baca	De La Torre	Leno	Pavley
Bass	Dymally	Lieber	Ridley-Thomas
Berg	Evans	Liu	Ruskin
Bermúdez	Frommer	Matthews	Saldaña
Calderon	Goldberg	Montañez	Salinas
Canciamilla	Hancock	Mullin	Torrigo
Chan	Jones	Nation	Umberg
Chavez	Karnette	Nava	Vargas
Chu	Klehs	Negrete McLeod	Yee
Cohn	Koretz	Oropeza	Mr. Speaker

NOES—29

Aghazarian	Garcia	La Suer	Strickland
Benoit	Harman	McCarthy	Tran
Blakeslee	Haynes	Mountjoy	Villines
Bogh	Horton, Shirley	Nakanishi	Walters
Cogdill	Houston	Niello	Wyland
Daucher	Huff	Plescia	
DeVore	Keene	Richman	
Emmerson	La Malfa	Spitzer	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 451 (Yee)—An act to amend Sections 7204.03 and 7205 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—53

Arambula	DeVore	Liu	Ruskin
Baca	Dymally	Matthews	Saldaña
Bass	Emmerson	McCarthy	Salinas
Benoit	Evans	Montañez	Spitzer
Bermúdez	Frommer	Mountjoy	Tran
Blakeslee	Goldberg	Mullin	Umberg
Bogh	Horton, Shirley	Nava	Vargas
Calderon	Huff	Negrete McLeod	Villines
Chavez	Jones	Niello	Wyland
Chu	Klehs	Oropeza	Yee
Cogdill	Koretz	Pavley	Mr. Speaker
Cohn	La Suer	Plescia	
Coto	Laird	Richman	
De La Torre	Leno	Ridley-Thomas	

NOES—15

Aghazarian	Garcia	Keene	Parra
Berg	Hancock	La Malfa	Strickland
Canciamilla	Harman	Nakanishi	Walters
Chan	Houston	Nation	

Bill ordered transmitted to the Senate.

(NOTE: For explanation of vote by Assembly Member Berg relative to Assembly Bill No. 451, see Assembly Journal for May 16, 2005, page 1509.)

At 11:11 a.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

ASSEMBLY BILL NO. 1293 (Oropeza)—An act to amend Section 2025.520 of the Code of Civil Procedure, relating to production of evidence.

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	DeVore	La Suer	Plescia
Arambula	Dymally	Laird	Richman
Baca	Emmerson	Leno	Ridley-Thomas
Bass	Evans	Lieber	Ruskin
Benoit	Frommer	Liu	Saldaña
Berg	Garcia	Matthews	Salinas
Bermúdez	Goldberg	McCarthy	Spitzer
Blakeslee	Hancock	Montañez	Strickland
Bogh	Harman	Mountjoy	Torrico
Calderon	Horton, Shirley	Mullin	Tran
Canciamilla	Houston	Nakanishi	Umberg
Chan	Huff	Nation	Vargas
Chavez	Jones	Nava	Villines
Chu	Karnette	Negrete McLeod	Walters
Cogdill	Keene	Niello	Wyland
Cohn	Klehs	Oropeza	Yee
Coto	Koretz	Parra	Mr. Speaker
Daucher	La Malfa	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 635**

At 11:11 a.m., on motion of Assembly Member Bermúdez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Bermúdez moved to continue the call of the Assembly.

Motion carried. Time, 11:13 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 885 (Keene)—An act to amend Sections 2924b and 2924g of the Civil Code, relating to mortgages.

Bill read third time, and passed by the following vote:

AYES—70

Aghazarian	De La Torre	La Suer	Richman
Arambula	DeVore	Laird	Ridley-Thomas
Baca	Dymally	Leno	Ruskin
Bass	Emmerson	Lieber	Saldaña
Benoit	Evans	Liu	Salinas
Berg	Frommer	Matthews	Spitzer
Bermúdez	Garcia	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Horton, Shirley	Mullin	Umberg
Canciamilla	Houston	Nakanishi	Vargas
Chan	Huff	Nation	Villines
Chavez	Jones	Nava	Walters
Chu	Karnette	Negrete McLeod	Wyland
Cogdill	Keene	Niello	Yee
Cohn	Klehs	Oropeza	Mr. Speaker
Coto	Koretz	Parra	
Daucher	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 414**

At 11:14 a.m., on motion of Assembly Member Klehs, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 414 passed by the following vote:

AYES—43

Arambula	De La Torre	Leno	Pavley
Baca	Dymally	Lieber	Ridley-Thomas
Bass	Evans	Liu	Ruskin
Berg	Frommer	Matthews	Saldaña
Bermúdez	Goldberg	Montañez	Salinas
Calderon	Hancock	Mullin	Torrico
Chan	Jones	Nation	Umberg
Chavez	Karnette	Nava	Vargas
Chu	Klehs	Negrete McLeod	Yee
Cohn	Koretz	Oropeza	Mr. Speaker
Coto	Laird	Parra	

NOES—28

Aghazarian	Emmerson	La Malfa	Richman
Benoit	Garcia	La Suer	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Horton, Shirley	Mountjoy	Tran
Cogdill	Houston	Nakanishi	Villines
Daucher	Huff	Niello	Walters
DeVore	Keene	Plescia	Wyland

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 114 (Cohn)—An act to amend Section 1109 of the Evidence Code, relating to admissibility of evidence.

Bill read third time, and passed by the following vote:

AYES—61

Aghazarian	Daucher	La Suer	Richman
Arambula	De La Torre	Lieber	Ridley-Thomas
Baca	DeVore	Matthews	Saldaña
Bass	Emmerson	McCarthy	Salinas
Benoit	Evans	Montañez	Spitzer
Berg	Frommer	Mountjoy	Strickland
Bermúdez	Garcia	Mullin	Torrico
Blakeslee	Harman	Nakanishi	Tran
Bogh	Horton, Shirley	Nation	Umberg
Calderon	Houston	Nava	Vargas
Canciamilla	Huff	Negrete McLeod	Villines
Chan	Karnette	Niello	Walters
Chavez	Keene	Oropeza	Wyland
Cogdill	Klehs	Parra	
Cohn	Koretz	Pavley	
Coto	La Malfa	Plescia	

NOES—6

Goldberg	Laird	Ruskin
Jones	Leno	Yee

Bill ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 2 (Evans)—Relative to the full benefits of Filipino-American veterans of the United States Armed Forces.

Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 2

Assembly Member Evans was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 2.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Frommer, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Lieber, Liu, Matthews, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Walters, and Yee.

Request for Unanimous Consent

Assembly Member Evans was granted unanimous consent to take up Assembly Joint Resolution No. 2, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 2, as Amended

ASSEMBLY JOINT RESOLUTION NO. 2—Relative to the full benefits of Filipino-American veterans of the United States Armed Forces.

Resolution read, as amended, and adopted by the following vote:

AYES—72

Aghazarian	De La Torre	La Malfa	Pavley
Arambula	DeVore	La Suer	Plescia
Baca	Dymally	Laird	Richman
Bass	Emmerson	Leno	Ridley-Thomas
Benoit	Evans	Lieber	Ruskin
Berg	Frommer	Liu	Saldaña
Bermúdez	Garcia	Matthews	Salinas
Blakeslee	Goldberg	McCarthy	Spitzer
Bogh	Hancock	Montañez	Strickland
Calderon	Harman	Mountjoy	Torrico
Canciamilla	Horton, Shirley	Mullin	Tran
Chan	Houston	Nakanishi	Umberg
Chavez	Huff	Nation	Vargas
Chu	Jones	Nava	Villines
Cogdill	Karnette	Negrete McLeod	Walters
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 10 (Chu)—Relative to foster care services.

Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 10

Assembly Member Chu was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 10.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Lieber, Liu, Matthews, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, and Yee.

Request for Unanimous Consent

Assembly Member Chu was granted unanimous consent to take up Assembly Joint Resolution No. 10, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 10, as Amended

ASSEMBLY JOINT RESOLUTION NO. 10—Relative to foster care services.

Resolution read, as amended, and adopted by the following vote:

AYES—72

Aghazarian	De La Torre	La Malfa	Pavley
Arambula	DeVore	La Suer	Plescia
Baca	Dymally	Laird	Richman
Bass	Emmerson	Leno	Ridley-Thomas
Benoit	Evans	Lieber	Ruskin
Berg	Frommer	Liu	Saldaña
Bermúdez	Garcia	Matthews	Salinas
Blakeslee	Goldberg	McCarthy	Spitzer
Bogh	Hancock	Montañez	Strickland
Calderon	Harman	Mountjoy	Torrico
Canciamilla	Horton, Shirley	Mullin	Tran
Chan	Houston	Nakanishi	Umberg
Chavez	Huff	Nation	Vargas
Chu	Jones	Nava	Villines
Cogdill	Karnette	Negrete McLeod	Walters
Cohn	Keene	Niello	Wyland
Coto	Klehs	Oropeza	Yee
Daucher	Koretz	Parra	Mr. Speaker

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 18 (Gordon)—Relative to American Stroke Month 2005.

Resolution read, and presented by Assembly Member Ruskin.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 18**

Assembly Member Ruskin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 18.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Lieber, Liu, Matthews, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Ruskin was granted unanimous consent to take up Assembly Concurrent Resolution No. 18, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 18, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 18—Relative to American Stroke Month 2005.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate immediately.

ASSEMBLY CONCURRENT RESOLUTION NO. 60 (Mountjoy)—Relative to National Day of Prayer.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 60**

Assembly Member Mountjoy was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 60.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Berg, Blakeslee, Calderon, Canciamilla, Chan, Cogdill, Cohn, Coto, Daucher, De La Torre, Dymally, Emmerson, Evans, Frommer, Harman, Shirley Horton, Houston, Keene, La Malfa, Leno, Lieber, Liu, Matthews, McCarthy, Montañez, Mullin, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Umberg, Vargas, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Mountjoy was granted unanimous consent to take up Assembly Concurrent Resolution No. 60, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 60, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 60—Relative to National Day of Prayer.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY BILL NO. 446 (Negrete McLeod)—An act to add Section 143.5 to the Business and Professions Code, relating to professions and vocations.

Bill read third time, and passed by the following vote:

AYES—42

Arambula	De La Torre	Lieber	Ridley-Thomas
Baca	Dymally	Liu	Ruskin
Bass	Evans	Matthews	Saldaña
Berg	Frommer	Montañez	Salinas
Bermúdez	Goldberg	Mullin	Torrico
Calderon	Hancock	Nation	Umberg
Chan	Jones	Nava	Vargas
Chavez	Klehs	Negrete McLeod	Yee
Chu	Koretz	Oropeza	Mr. Speaker
Cohn	Laird	Parra	
Coto	Leno	Pavley	

NOES—27

Aghazarian	Emmerson	La Suer	Spitzer
Benoit	Garcia	McCarthy	Strickland
Blakeslee	Harman	Mountjoy	Tran
Bogh	Horton, Shirley	Nakanishi	Villines
Cogdill	Houston	Niello	Walters
Daucher	Huff	Plescia	Wyland
DeVore	La Malfa	Richman	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1413 (DeVore)—An act to amend Section 20002 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—66

Aghazarian	De La Torre	La Suer	Ridley-Thomas
Arambula	DeVore	Laird	Ruskin
Baca	Dymally	Leno	Saldaña
Bass	Emmerson	Matthews	Salinas
Benoit	Evans	McCarthy	Spitzer
Berg	Frommer	Montañez	Strickland
Bermúdez	Garcia	Mountjoy	Torrigo
Blakeslee	Goldberg	Mullin	Tran
Bogh	Harman	Nakanishi	Umberg
Calderon	Horton, Shirley	Nation	Vargas
Canciamilla	Houston	Negrete McLeod	Villines
Chavez	Huff	Niello	Walters
Chu	Jones	Oropeza	Wyland
Cogdill	Keene	Parra	Yee
Cohn	Klehs	Pavley	Mr. Speaker
Coto	Koretz	Plescia	
Daucher	La Malfa	Richman	

NOES—4

Hancock	Karnette	Lieber	Liu
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Bill ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 18 (Jones)—Relative to passenger rail service.

Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 18

Assembly Member Jones was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 18.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Arambula, Baca, Bass, Berg, Bermúdez, Calderon, Canciamilla, Chan, Chavez, Chu, Cohn, Coto, De La Torre, Dymally, Evans, Frommer, Goldberg, Hancock, Houston, Huff, Karnette, Klehs, Koretz, Laird, Leno, Lieber, Liu, Matthews, Montañez, Mullin, Nation, Nava, Negrete McLeod, Núñez, Oropeza, Parra, Pavley, Ridley-Thomas, Ruskin, Saldaña, Salinas, Torrigo, Tran, Umberg, Vargas, and Yee.

Request for Unanimous Consent

Assembly Member Jones was granted unanimous consent to take up Assembly Joint Resolution No. 18, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 18, as Amended

ASSEMBLY JOINT RESOLUTION NO. 18—Relative to passenger rail service.

Resolution read, as amended, and adopted by the following vote:

AYES—54

Arambula	De La Torre	Koretz	Parra
Baca	Dymally	Laird	Pavley
Bass	Emmerson	Leno	Richman
Berg	Evans	Lieber	Ridley-Thomas
Bermúdez	Frommer	Liu	Ruskin
Bogh	Garcia	Matthews	Saldaña
Calderon	Goldberg	Montañez	Salinas
Canciamilla	Hancock	Mullin	Torrico
Chan	Horton, Shirley	Nakanishi	Umberg
Chavez	Houston	Nation	Vargas
Chu	Huff	Nava	Yee
Cohn	Jones	Negrete McLeod	Mr. Speaker
Coto	Karnette	Niello	
Daucher	Klehs	Oropeza	

NOES—15

Aghazarian	Harman	Plescia	Villines
Benoit	La Malfa	Spitzer	Walters
Cogdill	La Suer	Strickland	Wyland
DeVore	Mountjoy	Tran	

Resolution ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1740 (Committee on Judiciary)—An act to add Section 410.44 to the Code of Civil Procedure, relating to civil procedure.

Bill read third time, presented by Assembly Member Jones, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Houston	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—27

Aghazarian	Emmerson	La Suer	Spitzer
Benoit	Garcia	McCarthy	Strickland
Blakeslee	Harman	Mountjoy	Tran
Bogh	Horton, Shirley	Nakanishi	Villines
Cogdill	Huff	Niello	Walters
Daucher	Keene	Plescia	Wyland
DeVore	La Malfa	Richman	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1630 (Klehs)—An act to amend Sections 18622 and 19057 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—44

Arambula	Coto	Laird	Parra
Baca	De La Torre	Leno	Pavley
Bass	Dymally	Lieber	Ridley-Thomas
Berg	Evans	Liu	Ruskin
Bermúdez	Frommer	Matthews	Saldaña
Calderon	Goldberg	Montañez	Salinas
Canciamilla	Hancock	Mullin	Torrico
Chan	Jones	Nation	Umberg
Chavez	Karnette	Nava	Vargas
Chu	Klehs	Negrete McLeod	Yee
Cohn	Koretz	Oropeza	Mr. Speaker

NOES—28

Aghazarian	Garcia	La Malfa	Richman
Benoit	Harman	La Suer	Spitzer
Blakeslee	Haynes	McCarthy	Strickland
Bogh	Horton, Shirley	Mountjoy	Tran
Cogdill	Houston	Nakanishi	Villines
Daucher	Huff	Niello	Walters
DeVore	Keene	Plescia	Wyland

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 94 (Migden)—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Chu.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Klehs	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescia	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Kleh	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 188 (Nakanishi)—An act to amend Section 21115.5 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 1179 (Yee)—An act to add Section 1507.25 to the Health and Safety Code, relating to community care facilities.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 522 (Plescia)—An act to amend Section 1261.6 of the Health and Safety Code, relating to health facilities.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 1115 (Yee)—An act to add Article 3 (commencing with Section 4950) to Chapter 12 of Division 2 of the Business and Professions Code, relating to healing arts.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 1117 (Yee)—An act to amend Sections 2075, 3642, 4926, 4935, 4937, and 4939 of the Business and Professions Code, relating to medicine.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 1327 (Tran)—An act to amend Sections 25514.5 and 25526.5 of the Health and Safety Code, relating to hazardous materials.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1747 (Committee on Water, Parks and Wildlife)—An act to amend Sections 230, 461, 462, 463, 465, 1009, 1058.5, 1257, 10013, 10615, 10825, 10841, 11951, 11952, 11962, 11964, 11981, 11982, 11983, 12921.3, 12929.22, 12947, 13167.5, 13415, 13515, 13523, 13523.1, 13529.2, 13530, 13627, 13952, 14957, 31035, 31144.71, 31145, 31630.5, 31631, 31633, 55335, 71610.5, and 81420 of, and to amend the heading of Chapter 7 (commencing with Section 13500) of Division 7 of, the Water Code, relating to water.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 202 (Harman)—An act to amend Section 1281.2 of the Code of Civil Procedure, relating to arbitration.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 406 (Haynes)—An act relating to construction contracts.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 573 (Wolk)—An act relating to indemnity.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1038 (Houston)—An act relating to construction defects.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 776 (Chu)—An act to amend Section 11165.9 of the Penal Code, relating to child abuse reporting.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 223 (Negrete McLeod)—An act to amend Section 10170.5 of the Business and Professions Code, relating to real estate.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 277 (Mountjoy)—An act to amend and repeal Section 11126 of the Government Code, relating to open meetings.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 394 (Niello)—An act to amend Section 12956.1 of, and to add Section 12956.2 to, the Government Code, relating to housing.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 444 (Yee)—An act to amend Section 49531.1 of the Education Code, relating to pupils.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 461 (Shirley Horton)—An act to amend Section 1801.1 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 493 (Frommer)—An act to amend Section 742.24 of, and to add Section 742.245 to, the Insurance Code, relating to insurance.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 594 (Karnette)—An act to amend Section 1812.644 of the Civil Code, relating to personal property.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 595 (Negrete McLeod)—An act to amend Section 4051 of, to add Section 4019.5 to, to repeal Section 4033 of, and to repeal and add Section 4123 of, the Business and Professions Code, relating to pharmacy.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 893 (Shirley Horton)—An act to amend Section 6607 of the Welfare and Institutions Code, relating to sex offenders.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 900 (Benoit)—An act to amend Section 830.11 of the Penal Code, relating to investigators.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 918 (Wyland)—An act to add Section 89009.3 to the Education Code, relating to the California State University.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 974 (Nunez)—An act to add Section 1105 to the Public Utilities Code, relating to energy resources.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 978 (Runner)—An act to add Section 527.10 to the Code of Civil Procedure, to add Sections 6252.5 and 6322.7 to the Family Code, to add Sections 136.3 and 646.91A to the Penal Code, and to add Sections 213.7 and 15657.04 to the Welfare and Institutions Code, relating to protective orders.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 994 (Runner)—An act to amend Section 830.3 of the Penal Code, relating to peace officers.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1052 (Leslie)—An act to add Section 34520.3 to the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1153 (La Suer)—An act to amend Section 272 of the Penal Code, relating to offenses against minors.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1272 (Harman)—An act to repeal Section 14683 of the Government Code, and to amend Section 6304 of the Public Resources Code, relating to State Lands Commission.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1279 (Ruskin)—An act to amend Section 25353.5 of the Health and Safety Code, and to amend Section 13177.7 of the Water Code, relating to hazardous substances.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1474 (Maze)—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1516 (Arambula)—An act to amend Section 15570 of the Government Code, relating to economic development.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1523 (Blakeslee)—An act to amend Section 19771 of the Government Code, relating to public employment.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1718 (Mountjoy)—An act to amend Section 51182 of the Government Code, and to amend Section 4291 of the Public Resources Code, relating to forestry and fire protection.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1725 (La Malfa)—An act to amend Section 15819.60 of the Government Code, and to amend Section 1104.2 of the Military and Veterans Code, relating to veterans.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1763 (Committee on Natural Resources)—An act to amend Sections 14574 and 14575 of the Public Resources Code, relating to beverage containers.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1467 (Laird)—An act to amend Sections 17581 and 17581.5 of the Government Code, relating to state mandates.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 716 (Canciamilla)—An act to amend Sections 518, 523, 525, and 526 of the Harbors and Navigation Code, relating to vessels.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1281 (Maze)—An act to amend Section 263.8 of the Streets and Highways Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 42 (Chu)—Relative to the Province of Jeju, Republic of Korea.

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—73

Aghazarian	DeVore	La Suer	Richman
Arambula	Dymally	Laird	Ridley-Thomas
Baca	Emmerson	Leno	Ruskin
Bass	Evans	Lieber	Saldaña
Benoit	Frommer	Liu	Salinas
Berg	Garcia	Matthews	Spitzer
Bermúdez	Goldberg	McCarthy	Strickland
Blakeslee	Hancock	Montañez	Torrico
Bogh	Harman	Mountjoy	Tran
Calderon	Haynes	Mullin	Umberg
Canciamilla	Horton, Shirley	Nakanishi	Vargas
Chan	Houston	Nation	Villines
Chavez	Huff	Nava	Walters
Chu	Jones	Negrete McLeod	Wyland
Cogdill	Karnette	Niello	Yee
Cohn	Keene	Oropeza	Mr. Speaker
Coto	Klehs	Parra	
Daucher	Koretz	Pavley	
De La Torre	La Malfa	Plescía	

NOES—None**ADJOURN IN MEMORY**

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lisa Korben, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Liu and Nation were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald Vial, of San Rafael.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William Britt, of Fair Oaks.

Assembly Members Spitzer and Haynes were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gloria Buzard, of Murrieta.

CAUCUS ANNOUNCEMENTS

At 11:51 a.m., Assembly Member Bogh was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 11:51 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 12:04 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF ASSEMBLY BILL NO. 68
BY UNANIMOUS CONSENT**

Pursuant to a roll call vote earlier this day, Assembly Member Montañez took up Assembly Bill No. 68 out of order, for purpose of consideration.

ASSEMBLY BILL NO. 68 (Montanez)—An act to amend Section 2982 of, and to add Sections 2982.2 and 2982.10 to, the Civil Code, to add Section 6012.3 to the Revenue and Taxation Code, and to amend Sections 11709.2 and 11713.1 of, and to add Section 11713.16 to, the Vehicle Code, relating to consumers.

Bill read third time.

Motion to Amend

Assembly Member Montañez moved the adoption of amendments.
Amendments read and adopted by the following vote:

AYES—72

Aghazarian	De La Torre	Koretz	Pavley
Arambula	DeVore	La Malfa	Plescia
Baca	Dymally	La Suer	Richman
Bass	Emmerson	Laird	Ridley-Thomas
Benoit	Evans	Leno	Ruskin
Berg	Frommer	Lieber	Saldaña
Bermúdez	Garcia	Liu	Salinas
Blakeslee	Goldberg	Matthews	Spitzer
Bogh	Hancock	McCarthy	Strickland
Calderon	Harman	Montañez	Torrico
Canciamilla	Haynes	Mullin	Tran
Chan	Horton, Shirley	Nakanishi	Umberg
Chavez	Houston	Nation	Vargas
Chu	Huff	Nava	Villines
Cogdill	Jones	Negrete McLeod	Walters
Cohn	Karnette	Niello	Wyland
Coto	Keene	Oropeza	Yee
Daucher	Klehs	Parra	Mr. Speaker

NOES—None

Bill ordered reprinted.

**Further Consideration of Assembly Bill No. 68, as Amended,
by Unanimous Consent**

Assembly Member Montañez was granted unanimous consent to take up Assembly Bill No. 68, as amended, without reference to file, for purpose of consideration.

ASSEMBLY BILL NO. 68 (Montanez)—An act to amend Sections 2981 and 2982 of, and to add Sections 2982.2 and 2982.10 to, the Civil Code, to add Section 6012.3 to the Revenue and Taxation Code, and to add Sections 11713.18, 11713.19, 11713.20, and 11713.21 to the Vehicle Code, relating to consumers.

Bill read third time, and passed by the following vote:

AYES—45

Arambula	De La Torre	Leno	Ridley-Thomas
Baca	Dymally	Lieber	Ruskin
Bass	Evans	Liu	Saldaña
Berg	Frommer	Matthews	Salinas
Bermúdez	Goldberg	Montañez	Torrico
Calderon	Hancock	Mullin	Umberg
Canciamilla	Horton, Shirley	Nation	Vargas
Chan	Jones	Nava	Yee
Chavez	Karnette	Negrete McLeod	Mr. Speaker
Chu	Klehs	Oropeza	
Cohn	Koretz	Parra	
Coto	Laird	Pavley	

NOES—4

Haynes	La Malfa	Mountjoy	Strickland
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Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 635**

At 12:15 p.m., on motion of Assembly Member Bermúdez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 635 passed by the following vote:

AYES—45

Arambula	Daucher	Koretz	Ridley-Thomas
Baca	De La Torre	La Suer	Saldaña
Bass	DeVore	Laird	Salinas
Benoit	Dymally	Liu	Spitzer
Berg	Evans	Matthews	Torrico
Bermúdez	Frommer	Mountjoy	Tran
Calderon	Haynes	Mullin	Walters
Canciamilla	Horton, Shirley	Nakanishi	Yee
Chavez	Houston	Nava	Mr. Speaker
Cogdill	Jones	Negrete McLeod	
Cohn	Karnette	Parra	
Coto	Klehs	Richman	

NOES—20

Blakeslee	Garcia	Leno	Pavley
Bogh	Goldberg	Lieber	Plescica
Chan	Hancock	McCarthy	Ruskin
Chu	Harman	Nation	Strickland
Emmerson	La Malfa	Niello	Wyland

Bill ordered transmitted to the Senate.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Assembly Bill No. 507: Aghazarian, Bogh, Chavez, Garcia, Shirley Horton, Keene, Montañez, Nation, Oropeza, Plescia, Torrico, and Wyland—Aye; Houston and Strickland—No.

Assembly Bill No. 794: Montañez and Oropeza—Aye; Daucher, Shirley Horton, Houston, Keene, Plescia, Spitzer, and Strickland—No.

Assembly Bill No. 837: Blakeslee, Daucher, Shirley Horton, Houston, Keene, McCarthy, Oropeza, and Spitzer—Aye.

Assembly Bill No. 608: Bermúdez, Daucher, Shirley Horton, Houston, Keene, McCarthy, Montañez, Oropeza, and Spitzer—Aye.

Assembly Bill No. 226: Aghazarian, Daucher, Shirley Horton, Houston, Keene, Montañez, Nakanishi, Niello, Oropeza, and Spitzer—Aye.

Assembly Bill No. 849: Bermúdez, Daucher, Shirley Horton, Houston, and Keene—Aye.

Assembly Bill No. 113: De La Torre, Dymally, Shirley Horton, Houston, Keene, Montañez, and Oropeza—Aye.

Assembly Bill No. 530: Chu, Frommer, Shirley Horton, Keene, Lieber, Montañez, Mountjoy, and Ridley-Thomas—Aye.

Assembly Bill No. 587: Coto, Keene, La Malfa, Matthews, Montañez, and Mountjoy—Aye.

Assembly Bill No. 1641: Keene, La Malfa, Montañez, and Mountjoy—Aye.

Assembly Bill No. 127: Houston and Montañez—Aye.

Cohn Motion to Suspend the Rules: Chavez and Nation—Aye; Keene, Spitzer, and Strickland—No.

Cohn Motion to Suspend the Rules: Spitzer and Strickland—No.

Assembly Bill No. 483: Houston and Wyland—Aye.

Assembly Bill No. 588: Houston, Keene, and McCarthy—Aye; Plescia, Strickland, and Wyland—No.

Assembly Bill No. 1230: Wyland—Aye.

Assembly Bill No. 747: Benoit and Wyland—Aye.

Assembly Bill No. 1059: Houston—Aye.

Assembly Bill No. 1492: Blakeslee, Canciamilla, Chan, De La Torre, Shirley Horton, Nakanishi, Strickland, and Wyland—Aye; Aghazarian, Houston, and Plescia—No.

Assembly Bill No. 1256: Benoit, Blakeslee, Chan, Chu, De La Torre, Houston, Huff, and Nakanishi—Aye; Coto, Parra, and Spitzer—No.

Assembly Bill No. 664: De La Torre and Mullin—Aye; Garcia, Houston, Huff, Nakanishi, Strickland, and Villines—No.

Assembly Bill No. 451: Bermúdez, Blakeslee, Chavez, Coto, Koretz, Oropeza, Richman, and Salinas—Aye; Canciamilla and Houston—No.

Assembly Bill No. 1293: Berg, Canciamilla, Chavez, Frommer, Houston, Huff, Richman, and Ridley-Thomas—Aye.

Assembly Bill No. 885: Canciamilla, Chan, Chu, Houston, Oropeza, and Richman—Aye.

Assembly Bill No. 414: Chavez and Oropeza—Aye; Houston, Plescia, and Strickland—No.

Assembly Bill No. 114: Bermúdez, Canciamilla, Chan, McCarthy, Parra, Richman, Strickland, Torrico, and Umberg—Aye.

Assembly Joint Resolution No. 2: Canciamilla, McCarthy, Richman, and Torrico—Aye.

Assembly Joint Resolution No. 10: Canciamilla, McCarthy, Mountjoy, and Richman—Aye.

Assembly Bill No. 446: Umberg—Aye; Houston, La Malfa, McCarthy, Mountjoy, and Richman—No.

Assembly Bill No. 1413: Canciamilla, La Malfa, McCarthy, Mountjoy, and Richman—Aye; Lieber—No.

Assembly Joint Resolution No. 18: Canciamilla, Houston, and Richman—Aye; Aghazarian, La Malfa, Mountjoy, and Tran—No.

Assembly Bill No. 1740: Canciamilla and Houston—Aye; Bogh, Garcia, La Malfa, McCarthy, Mountjoy, Richman, and Villines—No.

Assembly Bill No. 1630: Bermúdez, Canciamilla, and Chu—Aye; La Malfa, McCarthy, Mountjoy, and Richman—No.

Senate Bill No. 94 and Urgency: Bermúdez, Bogh, Canciamilla, La Malfa, McCarthy, Mountjoy, and Richman—Aye.

Consent Calendar: Canciamilla, La Malfa, McCarthy, Richman, and Spitzer—Aye.

Assembly Bill No. 68, Montañez Amendments: Richman—Aye.

Assembly Bill No. 68: Mullin and Nation—Aye; Mountjoy—No.

Assembly Bill No. 635: Spitzer—Aye; McCarthy—No.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Chavez announced that the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media would meet today, upon adjournment of Floor Session, in Room 444.

Assembly Member Montañez announced that the Committee on Rules would meet today, upon adjournment of Floor Session, in the Tom Bane Rules Committee Room.

MOTION TO ADJOURN

At 12:15 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:16 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21—Daucher. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Sections 10 and 11 to Article IX thereof, relating to education.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 66—Saldana. Relative to California Wetlands Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 67—Plescia (Coauthors: Haynes, Shirley Horton, La Suer, Saldana, Vargas, Walters, and Wyland) (Coauthors: Senators Ducheny, Hollingsworth, Kehoe, and Morrow). Relative to the Wadie P. Deddeh State Office Building.

ASSEMBLY CONCURRENT RESOLUTION NO. 68—Saldana and Wyland (Coauthors: Senators Bowen, Ducheny, Kehoe, Lowenthal, and Morrow). Relative to the Tall Ships Challenge 2005.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 5, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 354

Assembly Bill No. 1067

Assembly Bill No. 816

Assembly Bill No. 1178

Assembly Bill No. 820

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 354—An act to amend Section 2290.5 of the Business and Professions Code, relating to healing arts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 816—An act to amend Section 6276.12 of the Government Code, and to amend Section 147.2 of the Labor Code, relating to employment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 820—An act to amend Sections 2117, 2125, 2150, 2150.4, and 2150.5 of, and to add Sections 2157, 2193, and 2195 to, the Fish and Game Code, relating to captive wild animals.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1067—An act to amend Sections 369b and 1463.12 of, and to add Section 218.1 to, the Penal Code, to amend Sections 190 and 2454 of, and to add Section 190.1 to, the Streets and Highways Code, and to amend Sections 22526, 42001.1, and 42001.16 of the Vehicle Code, relating to railroads.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1178—An act to amend Sections 21625, 21626, 21626.5, 21627, 21628, 21630, 21631, 21633, 21640, 21641, 21642, 21645, and 21647 of, to amend and repeal Section 21633 of, to amend, repeal, and add Section 21636 of, to add Sections 2167.2, 21628.3, 21632, 21635, 21636.4, 21636.7, and 21636.8 to, to repeal Section 21634 of, and to repeal and add Section 21628.1 of, the Business and Professions Code, and to amend Sections 21300, 21301, and 21307 of, to amend, repeal, and add Section 21208 of, to add Section 21308 to, and to repeal Section 21300.1 of the Financial Code, relating to personal property, 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 Public Safety

May 5, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 308
Assembly Bill No. 1294

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 308—An act to amend Section 594 of the Penal Code, relating to crimes.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1294—An act to add Chapter 1.3 (commencing with Section 629) to Title 15 of Part 1 of the Penal Code, relating to investigative subpoenas.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 5, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 648

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 648—An act to amend Section 65940 of the Government Code, relating to development projects.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 5, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 821

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 821—An act to add Section 2105.5 to the Elections Code, relating to voter registration.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

May 5, 2005

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 1187

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAN, Chair

ASSEMBLY BILL NO. 1187—An act to amend Section 119400 of the Health and Safety Code, relating to drug marketing 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.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 5, 2005

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 528
Assembly Bill No. 1058

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

ASSEMBLY BILL NO. 528—An act to add Title 2.5 (commencing with Section 3497) to Part 3 of Division 4 of the Civil Code, relating to civil actions.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1058—An act to add Article 8.5 (commencing with Section 114181) to Chapter 4 of Part 7 of Division 104 of the Health and Safety Code, relating to food labeling.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: May 5, 2005

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 61
Assembly Concurrent Resolution No. 62

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolutions ordered to third reading.

Date of Hearing: May 5, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 39

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.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: May 5, 2005

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 450

With the recommendation: Do pass.

CHAVEZ, Chair

Above bill ordered to second reading.

INTRODUCTION OF GUESTS

Assembly Member Negrete McLeod, of the 61st Assembly District, introduced Pomona City Councilmember Elliott Rothman and his wife, Pam.

Assembly Speaker Núñez, of the 46th Assembly District, introduced Mariachi Juvenil Fiesta Mexicana and Ballet Folklorico de Sierra Park Elementary. They are in Sacramento to perform in the Capitol rotunda today as part of the celebration of Cinco de Mayo.

Assembly Members Garcia and Matthews, of the 80th and 17th Assembly Districts, respectively, introduced students from the California Agriculture Leadership Program, Class 34.

Assembly Member Leno, of the 13th Assembly District, introduced fourth and fifth grade students from the Presidio Hill School in San Francisco which dates back to 1918. Presidio School is the oldest continually operating progressive school in California.

Assembly Member Niello, of the 5th Assembly District, introduced Eli Kazer, a teacher from Mesa Verde High School and students from his Government class.

Assembly Member Laird, of the 27th Assembly District, introduced Miss Linda Muehlhauser's class from Brook Knoll Elementary School.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 9:30 a.m., Monday, May 9, 2005, out of respect to the memory of Lisa Korben, on motion of Assembly Member Goldberg; out of respect to the memory of Donald Vial, on motion of Assembly Members Liu and Nation; out of respect to the memory of William Britt, on motion of Assembly Member Niello; and out of respect to the memory of Gloria Buzard, on motion of Assembly Members Spitzer and Haynes.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 5, 2005**

The following measures were amended in the Assembly on this day:

AB	RN
68	0513452
308	0510821
354	0513286
528	0513493
610	0513326
648	0513431
652	0513369
816	0513041
820	0512568
821	0513417
1058	0513463
1067	0513260
1129	0513177
1178	0513079
1187	0513290
1294	0513198
1758	0512741

AJR	RN
21	0513238

Daily Total:	18
Cumulative Total:	1489