

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 15, 2004

**ONE HUNDRED THIRTY-EIGHTH SESSION DAY
FOUR HUNDRED TENTH 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 15, 2004

The Assembly met at 9 a.m.
Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Cogdill moved a quorum call of the Assembly.
Motion carried. Time, 9:01 a.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:14 a.m., Assistant Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—70:

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

PRAYER

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

Lord, Everything starts from prayer. Without asking You for love, we cannot possess love, and still less are we able to give it to others. We may be exhausted with work, but unless our work is interwoven with love, it is useless. Help us to love more completely, Lord, this day and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Yee, 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 Chan, 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 Chavez, Kehoe, Koretz, Maddox, Maze, and Ridley-Thomas.

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

Because of illness: Assembly Member Montanez.

Because of illness in their families: Assembly Members Nation and Richman.

EXPLANATIONS OF ABSENCE

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

January 14, 2004

The Honorable Herb J. Wesson, Jr.

Speaker

California State Assembly

State Capitol, Room 219

Sacramento, California

Dear Mr. Speaker Wesson: I respectfully request that I be excused from session on Thursday, January 15, 2004 and check-in session on Friday, January 16, 2004. The purpose is to attend the Latino Legislative Caucus Retreat.

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

January 5, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, January 15 and Friday, January 16, 2004 due to legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

CHRISTINE KEHOE
Speaker pro Tempore

January 12, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I respectfully request to be excused from floor session or check in session on Thursday, January 15, 2004. I would return for session on Friday, January 16, 2004. 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 12, 2004

*The Honorable Herb Wesson
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 Thursday, January 15th and check-in session on Friday, January 16th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDOX, Assembly Member
Sixty-eighth District

January 14, 2004

The Honorable Herb J. Wesson, Jr.
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, January 15th and check-in Session on Friday, January 16, 2004 for the purpose of conducting legislative business 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

(NOTE: For letter explaining the absence of Assembly Member Maze on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 13, 2004.)

COMMUNICATIONS

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

January 15, 2004

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

Dear Dotson: This is to advise you that I have removed Assemblymember Kevin McCarthy from the Joint Legislative Budget Committee, creating an Assembly Republican vacancy on the committee.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 15, 2004

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

Dear Dotson: This is to advise you that I have removed Assemblymember Kevin McCarthy from the Assembly Water, Parks and Wildlife Committee, creating a Republican vacancy on the committee.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

The following communication was presented by the Chief Clerk:

From Tricia Knight, Initiative Coordinator, Department of Justice, dated January 12, 2004, transmitting copies of the revised ballot title and summary and ballot label, March 2, 2004 Primary Election Ballot, in accordance with the provisions of Elections Code sections 9050-9051, 13247, and 13281-13282, and Government Code sections 88002-88003.

**Proposition (Number to be provided by Secretary of State's Office)
Health Care Coverage Requirements. Referendum.**

Referred by the Speaker to the Committees on Health and Elections, Redistricting and Constitutional Amendments.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 15, 2004

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

Assembly Bill No. 193	Assembly Bill No. 1000
Assembly Bill No. 338	Assembly Bill No. 1138
Assembly Bill No. 340	Assembly Bill No. 1233
Assembly Bill No. 392	Assembly Bill No. 1510
Assembly Bill No. 454	Assembly Bill No. 1663
Assembly Bill No. 476	Assembly Bill No. 1684

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. 1814—Oropeza. An act to amend Section 487 of the Penal Code, relating to theft.

ASSEMBLY BILL NO. 1815—Chan and Dutra (Coauthors: Berg, Calderon, Chu, Dymally, Firebaugh, Goldberg, Hancock, Jerome Horton, Koretz, Laird, Leno, Levine, Lieber, Longville, Montanez, Mullin, Nation, Oropeza, Reyes, Ridley-Thomas, Steinberg, Vargas, and Yee). 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. 1816—Bermudez. An act to amend Section 2220.05 of the Business and Professions Code, relating to medicine.

ASSEMBLY BILL NO. 1817—Maze. An act to amend Section 827 of the Welfare and Institutions Code, relating to juvenile law.

ASSEMBLY BILL NO. 1818—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. 1819—La Malfa. An act to amend Sections 48800 and 76002 of the Education Code, relating to public schools.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 160—Mountjoy. Relative to Abraham Lincoln.

ASSEMBLY CONCURRENT RESOLUTION NO. 161—Oropeza (Coauthors: Berg, Calderon, Chan, Chavez, Chu, Cohn, Corbett, Dutra, Firebaugh, Garcia, Goldberg, Hancock, Jackson, Kehoe, Koretz, Laird, Lieber, Longville, Lowenthal, Matthews, Montanez, Mullin, Negrete McLeod, Parra, Pavley, Reyes, Ridley-Thomas, Steinberg, Wiggins, and Wolk) (Coauthors: Senators Alpert, Ducheny, Karnette, and Romero). Relative to California Girls and Women in Sports Week.

ASSEMBLY JOINT RESOLUTION NO. 58—Correa (Coauthors: Benoit, Berg, Bermudez, Calderon, Canciamilla, Chavez, Cohn, Corbett, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Hancock, Jerome Horton, Shirley Horton, Keene, Kehoe, Koretz, Laird, Leno, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Montanez, Mountjoy, Mullin, Negrete McLeod, Nunez, Parra, Plescia, Reyes, Ridley-Thomas, Salinas, Vargas, Wolk, and Wyland). Relative to religious freedom in Vietnam.

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>
1704 -----	Jud.
1706 -----	Jud.
1707 -----	Jud.
1709 -----	Jud.
1711 -----	Jud.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
152 -----	Trans.
153 -----	Rls.
154 -----	Rls.
155 -----	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
56 -----	Pub. S.
57 -----	Jud.

Senate Joint

<i>Resolution No.</i>	<i>Committee</i>
23 -----	L. Gov.

AUTHOR'S AMENDMENTS

Committee on Judiciary

January 15, 2004

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1704 | Assembly Bill No. 1709 |
| Assembly Bill No. 1706 | Assembly Bill No. 1711 |
| Assembly Bill No. 1707 | |

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

CORBETT, Chair

ASSEMBLY BILL NO. 1704—An act to amend Section 2553 of the Family Code, relating to family 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. 1706—An act to amend Section 1162 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time; author'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 51 of the Civil Code, relating to civil 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. 1709—An act to amend Section 11135 of the Government Code, relating to 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. 1711—An act to amend Section 6000 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 Appropriations

January 15, 2004

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

Assembly Bill No. 750

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

STEINBERG, Chair

ASSEMBLY BILL NO. 750—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 Appropriations

January 15, 2004

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

Assembly Concurrent Resolution No. 61

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

STEINBERG, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 61—Relative to Financial Literacy for Youth 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 Appropriations

January 15, 2004

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

Assembly Bill No. 204

Assembly Bill No. 1520

Assembly Bill No. 389

Assembly Bill No. 1699

Assembly Bill No. 932

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

STEINBERG, Chair

ASSEMBLY BILL NO. 204—An act to amend Section 31164 of, and to add Sections 31165, 31166, and 31167 to, the Public Resources Code, and to add Section 9250.20 to the Vehicle Code, relating to vehicles, 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. 389—An act to add Chapter 6.10.1 (commencing with Section 25403) to Division 20 of 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.

ASSEMBLY BILL NO. 932—An act to amend Sections 2472 and 2484 of, and to repeal and add Section 2493 of, the Business and Professions Code, relating to podiatric 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. 1520—An act to add and repeal Chapter 8.7 (commencing with Section 13370) of Division 6 of the Military and Veterans Code, relating to veterans memorials.

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

ASSEMBLY BILL NO. 1699—An act to add Article 10.4 (commencing with Section 25214.30) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste, 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 Transportation

January 15, 2004

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

Assembly Bill No. 1200

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

DUTRA, Chair

ASSEMBLY BILL NO. 1200—An act to amend Section 7150.2 of the Health and Safety Code, to amend Sections 1672 and 27803 of, and to add Section 1672.1 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 Environmental Safety and Toxic Materials

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports: Assembly Bill No. 1454

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

LAIRD, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Agriculture

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 1071

Assembly Bill No. 1726

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.

Committee on Insurance

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 700

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: January 15, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 143

With the recommendation: Be adopted.

NATION, Chair

Above resolution ordered to third reading.

REQUEST FOR PHOTOGRAPHER

Assembly Members Longville and Jerome Horton were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

BILL RETURNED TO SENATE

The following bills were returned to the Senate for further action, by unanimous consent:

Assembly Bill No. 97, upon request of Assembly Member Chan;

Assembly Bills Nos. 118 and 1154, upon request of Assembly Member Frommer;

Assembly Bill No. 366, upon request of Assembly Member Mullin;

Assembly Bill No. 806, upon request of Assembly Member Wiggins.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1651, on request of Assembly Member Firebaugh.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bill No. 31 be removed from the inactive file.

BILL REMOVED FROM INACTIVE FILE AND RETURNED TO THE SENATE

Assembly Member Daucher was granted unanimous consent that Assembly Bill No. 691 be withdrawn from the inactive file and returned to the Senate for further action.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Committee on Transportation be permitted to hold a special meeting today, upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1200 for hearing.

RE-REFERENCE OF BILLS

Assembly Member Chan was granted unanimous consent that Senate Bill No. 438 be re-referred from the Committee on Public Employees, Retirement and Social Security to the Committee on Revenue and Taxation.

RECESS

By unanimous consent, at 9:18 a.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 9:19 a.m., the Assembly reconvened.

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

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

ASSEMBLY BILL NO. 1667—An act to amend Section 803 of, to add Sections 801.1, 801.2, and 803.5 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

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. 854—An act to amend Section 1170 of the Penal Code, relating to crime.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 162—An act to repeal Section 18502.5 of the Health and Safety Code, relating to mobilehome parks.

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, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 224—An act to amend Section 13132.7 of, and to add Section 13132.8 to, the Health and Safety Code, relating to roof covering materials.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 649—An act relating to developmental disabilities.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 379—An act to amend Section 8208 of, and to add Article 8.5 (commencing with Section 8245) to Chapter 2 of Part 6 of, the Education Code, relating to child development.

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. 254—An act to amend Section 1373.621 of the Health and Safety Code, and to amend Section 10116.5 of the Insurance Code, relating to health.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740, and Senate Bills Nos. 1005, 131, and 407 were continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 69 (Correa)—An act to amend Section 14672.100 of the Government Code, relating to public works.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:25 a.m.

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

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. 42 (Daucher)—An act to amend Section 56505.2 of the Education Code, relating to special education.

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. 1636 (Kehoe)—An act to amend Section 49558 of the Education Code, relating to pupil 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. 1696 (Pavley)—An act to amend Section 60041 of the Education Code, and to amend Section 71304 of the Public Resources Code, relating to instructional 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.)*

Consent Calendar Roll Call

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

AYES—66

Aghazarian	Dutra	Leno	Parra
Bates	Dutton	Leslie	Pavley
Benoit	Dymally	Levine	Plescia
Bermudez	Firebaugh	Lieber	Reyes
Bogh	Frommer	Liu	Runner
Calderon	Garcia	Longville	Salinas
Campbell	Goldberg	Lowenthal	Samuelian
Canciamilla	Hancock	Maldonado	Spitzer
Chan	Harman	Matthews	Steinberg
Chu	Haynes	McCarthy	Strickland
Cogdill	Horton, Jerome	Mountjoy	Vargas
Cohn	Horton, Shirley	Mullin	Wolk
Corbett	Jackson	Nakanishi	Wyland
Correa	Keene	Nakano	Yee
Cox	La Malfa	Negrete McLeod	Mr. Speaker
Daucher	La Suer	Nunez	
Diaz	Laird	Pacheco	

NOES—None**BILLS STRICKEN FROM FILE**

Assembly Member Matthews was granted unanimous consent that Assembly Bill No. 446 be stricken from file.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: January 15, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 155

With the recommendation: Be adopted.

COGDILL, Vice Chair

Above resolution ordered to third reading.

At 9:29 a.m., Hon. Jerome Horton, 51st District, presiding

**ASSEMBLY CONCURRENT RESOLUTION NO. 155 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Dymally was granted unanimous consent to take up Assembly Concurrent Resolution No. 155, without reference to file, and that the same be considered engrossed.

ASSEMBLY CONCURRENT RESOLUTION NO. 155—Relative to Dr. Martin Luther King, Jr. Day.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 155**

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. 155.

Roll Call

The following Assembly Members indicated a desire to become authors:

Aghazarian, Bates, Benoit, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Dutra, Dutton, Firebaugh, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Jackson, Keene, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Lowenthal, Maldonado, Matthews, McCarthy, Mountjoy, Mullin, Nakanishi, Nakano, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Plescia, Reyes, Runner, Salinas, Samuelian, Spitzer, Steinberg, Strickland, Vargas, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Dymally was granted unanimous consent to take up Assembly Concurrent Resolution No. 155, as amended, without reference to file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 155, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 155—Relative to Dr. Martin Luther King, Jr. Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**RECESS FOR CEREMONY IN OBSERVATION OF
DR. MARTIN LUTHER KING, JR. DAY**

By unanimous consent, at 9:43 a.m., Acting Speaker Jerome E. Horton declared the Assembly recessed to permit the introduction of a special guest. Speaker Wesson and Assembly Member Dymally escorted 9-year-old minister Princeton Irvin Parker to the front of the Assembly Chamber whereupon he addressed the assemblage in honor and celebration of Dr. Martin Luther King's birthday.

Assembly Member Longville then introduced the San Bernardino group "FAME" (Families of African American Ancestry Manifesting Our Excellence), whereupon they gave a musical performance for the Members of the Assembly.

RECONVENED

At 10:02 a.m., Assistant Speaker pro Tempore Leland Y. Yee, 12th District, presiding.

COMMITTEE MEETING CANCELED

Assembly Member Bermudez announced that the meeting of the Select Committee on Prison Construction and Operations scheduled for today has been canceled.

COMMITTEE MEETING ANNOUNCEMENTS

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

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Leno announced his intention to request that Assembly Bill No. 1187 be removed from the inactive file.

BILLS STRICKEN FROM FILE

Assembly Member Diaz was granted unanimous consent that Assembly Bill No. 522 be stricken from file.

ADJOURN IN MEMORY

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 William James Lyons, Sr., of Modesto.

(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 Daniel J. Rabin, of Davis.

(Assembly Rule 45.5 suspended.)

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 69

At 10:04 a.m., on motion of Assembly Member Correa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 69 passed by the following vote:

AYES—43

Berg	Dymally	Liu	Reyes
Bermudez	Firebaugh	Longville	Salinas
Calderon	Frommer	Lowenthal	Spitzer
Canciamilla	Goldberg	Matthews	Steinberg
Chan	Hancock	Mullin	Vargas
Chu	Horton, Jerome	Nakano	Wiggins
Cohn	Jackson	Negrete McLeod	Wolk
Corbett	Laird	Nunez	Wyland
Correa	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker
Dutra	Lieber	Pavly	

NOES—13

Bogh	Haynes	Nakanishi	Strickland
Campbell	Horton, Shirley	Pacheco	
Cox	La Malfa	Plescia	
Garcia	Mountjoy	Samuelian	

Bill ordered transmitted to the Senate.

ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Brian Wahle, of Sacramento.

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 Louie R. Arata, of Pittsburg, and Katherine M. "Guiliano" Fantacone, of Pittsburg.

Assembly Member Corbett was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joe Claas, of San Leandro.

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 Maria Antonia Prieto, of Glendale.

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ron Limeberger, of Sacramento.

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, Consent Calendar: Aghazarian, Bogh, Canciamilla, Cohn, Corbett, Correa, Diaz, Dutra, Garcia, Jackson, Leslie, Mountjoy, Nunez, and Vargas—Aye.

Assembly Bill No. 69: Spitzer—Aye; La Malfa, Mountjoy, Plescia, and Samuelian—No.

MOTION TO ADJOURN

At 10:08 a.m., Assembly Member Nakano moved that the Assembly do now adjourn.

Assembly Member Mountjoy seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Benoit, Vargas, 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 Nakano that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:10 a.m., Assistant Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 15, 2004

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

Assembly Bill No. 393

Assembly Bill No. 614

Assembly Bill No. 1550

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

STEINBERG, Chair

ASSEMBLY BILL NO. 393—An act to add Section 20070.5 to the Education Code, relating to historical preservation.

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

ASSEMBLY BILL NO. 614—An act relating to athletic trainers.

Bill read second time; author'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 37670 of, to add Section 66104 to, and to add Chapter 8 (commencing with Section 10700) to Part 7 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.

AUTHOR'S AMENDMENTS
Committee on Local Government

January 15, 2004

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

Senate Joint Resolution No. 23

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

SALINAS, Chair

SENATE JOINT RESOLUTION NO. 23—Relative to Military base closures.

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

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 15, 2004

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

Assembly Bill No. 1655

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

STEINBERG, Chair

ASSEMBLY BILL NO. 1655—An act to add Sections 1798.210 and 1799.112 to the Health and Safety Code, relating to emergency medical 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.

REPORTS OF STANDING COMMITTEES
Committee on Local Government

Date of Hearing; January 14, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 955

With the recommendation: Do pass.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1320

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

SALINAS, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 911

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.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1694

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.

LAST DAY TO CONSIDER GOVERNOR'S VETOES

Pursuant to Joint Rule 58.5, today was the last day to consider the Governor's veto of Assembly Bill No. 799.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Nakano, the Assembly adjourned until 5 a.m., Friday, January 16, 2004, out of respect to the memory of William James Lyons, Sr., on motion of Assembly Member Matthews; out of respect to the memory of Daniel J. Rabin, on motion of Assembly Member Wolk; out of respect to the memory of Brian Wahle, on motion of Speaker Wesson; out of respect to the memory of Louie R. Arata and Katherine M. "Guiliano" Fantacone, on motion of Assembly Member Canciamilla; out of respect to the memory of Joe Claas, on motion of Assembly Member Corbett; out of respect to the memory of Maria Antonia Prieto, on motion of Assembly Member Frommer; and out of respect to the memory of Ron Limeberger, on motion of Assembly Member Steinberg.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 15, 2004**

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

AB RN

162 0400122
204 0400692
379 0400528
389 0400794
393 0400706
614 0400759
750 0400454
932 0400864
1200 0400312
1520 0400831
1550 0400882
1655 0400855
1667 0400656
1699 0400852
1704 0400168
1706 0400286
1707 0400379
1709 0400385
1711 0400449

ACR RN

61 0400435

SJR RN

23 0322395

Daily Total: 21
Cumulative Total: 3111