

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 20, 2004

**ONE HUNDRED FORTIETH SESSION DAY
FOUR 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
Tuesday, January 20, 2004

The Assembly met at 1 p.m.
Hon. Christine Kehoe, 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, 1:01 p.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 1:07 p.m., Speaker pro Tempore Kehoe declared a quorum of the Assembly present.

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

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

PRAYER

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

Lord, Before we can give anything, we have to possess. And if we feel a calling to give to others, we must first grow in the knowledge of You, Lord, since You are the source of all good things. Help us this day to grow in Your image and to learn Your commandments, so that as we serve others, we may glorify You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member McCarthy 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 Member Harman.

Because of illness: Assembly Member Nation.

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:

January 7, 2004

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

Dear Mr. Speaker,

I respectfully request to be excused from Assembly Floor Session and my committee activities on Tuesday, January 20th. I will be in my district on legislative business.

Feel free to call me if you have questions. Tiffany Olson is my staff contact and can be reached at 319-2067. Thank you for your consideration of this matter.

Sincerely,

TOM HARMAN, Assembly Member
Sixty-seventh District

COMMUNICATIONS

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

January 20, 2004

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

Dear Dotson: This is to advise you that I have appointed Assemblymember John Laird to replace Assemblymember Fabian Nunez on the Assembly Appropriations Committee for the January 21st hearing.

Sincerely,

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

January 20, 2004

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Robert Pacheco to replace Assemblymember Tom Harman as Vice Chair and Assemblymember Tim Leslie to replace Assemblymember Robert Pacheco on the Assembly Judiciary Committee for today's hearing only.

Sincerely,

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

January 20, 2004

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Kevin McCarthy to the Joint Legislative Budget Committee.

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 20, 2004

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

Assembly Bill No. 700

Assembly Bill No. 1592

Assembly Bill No. 911

Assembly Bill No. 1684

Assembly Bill No. 979

Assembly Bill No. 1694

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 20, 2004

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

Assembly Bill No. 1320

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Special Committee on State Mandates, on Monday, January 26, 2004, at 10 a.m., in Room 447;

Select Committee on California Infrastructure, on Friday, January 30, 2004 at 9 a.m., in Van Nuys;

Select Committee on Air and Water Quality, on Wednesday, February 11, 2004, at 9:30 a.m.;

Select Committee on Adult Education, on Wednesday, February 25, 2004, at 2 p.m.;

Local Government, on January 22, 2004;

Transportation, on January 22, 2004.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1821—Cohn. An act to amend Section 4620.2 of the Welfare and Institutions Code, relating to developmental services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1822—Chan. An act to amend Section 120335 of the Health and Safety Code, relating to school children immunization.

ASSEMBLY BILL NO. 1823—Wyland. An act to add Section 4114.2 to the Public Resources Code, relating to fire emergency.

ASSEMBLY BILL NO. 1824—Reyes. An act to add Section 13002.1 to the Vehicle Code, relating to identification cards.

ASSEMBLY BILL NO. 1825—Reyes. An act to amend Section 12950 of the Government Code, relating to employment practices.

ASSEMBLY BILL NO. 1826—Bogh. An act to amend Section 530.5 of the Penal Code, relating to professional and trade licenses.

ASSEMBLY BILL NO. 1827—Cohn. An act to amend Section 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

ASSEMBLY BILL NO. 1828—Simitian (Principal coauthor: Nakano) (Coauthor: Frommer). An act to amend Section 12810 of, and to add Section 23123 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1829—Liu. An act to add Chapter 3.55 (commencing with Section 12140) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 39—Liu, Chan, Chu, Nakano, Yee, Shirley Horton, and Nakanishi. Relative to Lunar New Year Celebration.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
156 -----	Trans.
157 -----	Rls.
158 -----	Rls
159 -----	Rls.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

January 20, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 269

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

STEINBERG, Chair

ASSEMBLY BILL NO. 269—An act to amend Section 33334.25 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.

**REPORTS OF STANDING COMMITTEES
Committee on Business and Professions**

January 13, 2004

Mr. Speaker: Your Committee on Business and Professions reports the following bills pursuant to the provisions of Joint Rule 62(a):

- Assembly Bill No. 146
- Assembly Bill No. 556

CORREA, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Health

January 14, 2004

Mr. Speaker: Your Committee on Health reports the following bill pursuant to the provisions of Joint Rule 62(a):

- Assembly Bill No. 216

FROMMER, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Judiciary

January 13, 2004

Mr. Speaker: Your Committee on Judiciary reports the following bill pursuant to the provisions of Joint Rule 62(a):

- Assembly Bill No. 102

CORBETT, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Governmental Organization

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1612

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 Rules

Date of Hearing: January 20, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 141

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.

NATION, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: January 20, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 146

Assembly Concurrent Resolution No. 157

Assembly Concurrent Resolution No. 158

With the recommendation: Be adopted.

NATION, Chair

Above resolutions ordered to third reading.

BILLS RETURNED TO SENATE

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

Assembly Bill No. 509, upon request of Assembly Member Jerome Horton;

Assembly Bill No. 1087, upon request of Assembly Member Frommer.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 371

Assembly Member La Suer was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 371; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on January 13, 2004 (Assembly Journal, page 4227); and whereby on January 12, 2004 (Assembly Journal, page 4209), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

JOINT RULE 62(a) WAIVED

Assembly Member Steinberg was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 1694, 124, 733, and 911 for hearing in the Committee on Appropriations on Wednesday, January 21, 2004.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Steinberg 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 hear Assembly Bill No. 1612 pending re-referral to the committee.

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 Specialist Fourth Class Michael DiRaimondo, of Simi Valley.

(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 Barbara Gommel, of Lucerne Valley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Garcia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank H. Dominguez, of San Bernardino.

(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 Berglund, of Claremont.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Vargas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marie Vargas, of San Diego.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Dutton, Longville, and Negrete McLeod were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mickey McElwain, of Fontana.

(Assembly Rule 45.5 suspended.)

BILLS STRICKEN FROM FILE

Assembly Member Goldberg was granted unanimous consent that Assembly Bills Nos. 1051 and 1308 be stricken from file.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Goldberg announced her intention to request that Assembly Bill No. 858 be removed from the inactive file.

ADJOURN IN MEMORY

Assembly Member Firebaugh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert "Buddy" Soto, of Claremont.

(Assembly Rule 45.5 suspended.)

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Bates announced her intention to request that Assembly Bill No. 57 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Jackson announced her intention to request that Assembly Bill No. 252 be removed from the inactive file.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 44

Assembly Member Pacheco was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 44; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on January 14, 2004 (Assembly Journal, page 4241); and whereby on January 12, 2004 (Assembly Journal, page 4218), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

**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. 1320, ordered to third reading.

**UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1618 (Firebaugh)—An act to add Section 7661 to the Public Utilities Code, relating to railroad corporations, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read.

Motion to Re-refer Assembly Bill No. 1618 to Committee

Assembly Member Haynes moved that Assembly Bill No. 1618 be re-referred to the Committee on Transportation.

Assembly Member Benoit seconded the motion.

Motion Withdrawn

Assembly Member Haynes, with consent of the second to the motion, withdrew the motion to re-refer Assembly Bill No. 1618 to committee.

**Re-reference of Bills to Committee Pursuant to
Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 1618 to the Committee on Transportation.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100 and 1740; and Senate Bills Nos. 1005, 131, and 407 were continued until Thursday, January 22, 2004.

**At 1:43 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 254 (Montanez)—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 third time, and passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 143 (Koretz)—Relative to Spay Day USA 2004.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 143**

Assembly Member Koretz was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 143.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member Koretz was granted unanimous consent to take up Assembly Concurrent Resolution No. 143, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 143, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 143—Relative to Spay Day USA 2004.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY BILL NO. 224 (Kehoe)—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 third time, and passed by the following vote:

AYES—63

Aghazarian	Dutton	Lieber	Plescia
Benoit	Dymally	Liu	Reyes
Berg	Firebaugh	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Runner
Calderon	Goldberg	Maldonado	Salinas
Canciamilla	Hancock	Matthews	Samuelian
Chan	Horton, Jerome	McCarthy	Simitian
Chu	Horton, Shirley	Montanez	Spitzer
Cogdill	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Diaz	Leslie	Parra	Mr. Speaker
Dutra	Levine	Pavley	

NOES—9

Campbell	Keene	Maze
Haynes	La Malfa	Mountjoy
Houston	La Suer	Nakanishi

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1667 (Kehoe)—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 third time, and passed by the following vote:

AYES—74

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

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1667: Assembly Member Wyland from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 955 (Wiggins)—An act to amend Section 65352 of the Government Code, relating to land use.

Bill read third time, and passed by the following vote:

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 98 (Alpert)—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 Oropeza.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

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

NOES—None

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—73

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

NOES—None

Bill ordered transmitted to the Senate.

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. 1623 (Longville)—An act to amend Section 8020 of the Elections Code, relating to elections.

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. 517 (Oropeza)—An act to amend Section 21455.5 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. 1264 (Benoit)—An act to amend Section 4216.8 of the Government Code, relating to excavation equipment.

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. 41 (Yee)—Relative to psychotropic drugs and youth.

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—76

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

NOES—None

**ASSEMBLY BILL NO. 419 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Negrete McLeod was granted unanimous consent that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 419 were refused concurrence.

**Further Consideration of Senate Amendments to
Assembly Bill No. 419**

ASSEMBLY BILL NO. 419 (Committee on Public Employees, Retirement and Social Security)—An act to amend Sections 22200, 22224, and 22225 of, and to add Section 22227 to, the Education Code, and to amend Section 4 of Chapter 1049 of the Statutes of 2002, relating to the Teachers’ Retirement Board, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Negrete McLeod.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(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—74

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

NOES—None

Above bill ordered enrolled.

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 Joseph James LaGrande, of Williams.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Steinberg and Cox were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Keicia Hines, of Sacramento.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Frommer announced that the Committee on Health would meet today upon adjournment of Floor Session.

Assembly Member Corbett announced that the Committee on Judiciary would meet today, upon adjournment of Floor Session, in the Tom Bane Rules Committee meeting room.

Assembly Member Liu announced that the Committee on Higher Education would meet today at 2:30 p.m., in Room 437.

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 Betty Mae Peters Porter, of San Diego and Terrell Darius Sherrills, of Los Angeles.

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 Page Prescott, of Ukiah.

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 Chiyono Helen Ueda, of Sacramento.

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 Louise Koontz Blake, of Pasadena and Shirley Rawson, of Riverside.

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 Timothy J. Powers, of Santa Cruz.

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 Mary Coale, Victor Eckles, and Steven Ebert, 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 Alec Skolnick, of San Mateo.

Assembly Member Simitian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jessica Saal, of Palo Alto.

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. 254: Canciamilla, Houston, Maddox, and Mullin—Aye.

Assembly Bill No. 224: Leslie, Maddox, and Samuelian—Aye.

Assembly Bill No. 1667: Simitian—Aye.

Assembly Bill No. 955: Simitian—Aye.

Senate Bill No. 98 and Urgency: Houston, Ridley-Thomas, Wiggins, and Wyland—Aye.

Consent Calendar: Ridley-Thomas and Wiggins—Aye.

MOTION TO ADJOURN

At 2:07 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Bermudez seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:07 p.m., Assistant Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Assembly Member Runner, of the 36th Assembly District, introduced Jaime Goodreau, Nathan Cross, Raneal Washington, Sarah Tyndall, and Nick Reuter, of Lancaster.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 7 a.m., Wednesday, January 21, 2004, out of respect to the memory of Specialist Fourth Class Michael DiRaimondo, on motion of Assembly Member Richman; out of respect to the memory of Barbara Gommel, on motion of Assembly Member Maze; out of respect to the memory of Frank H. Dominguez, on motion of Assembly Member Garcia; out of respect to the memory of Marie Vargas, on motion of Assembly Member Vargas; out of respect to the memory of Robert "Buddy" Soto, on motion of Assembly Member Firebaugh; out of respect to the memory of Christopher Berglund, on motion of Assembly Member Negrete McLeod; out of respect to the memory of Mickey McElwain, on motion of Assembly Members Dutton, Longville, and Negrete McLeod; out of respect to the memory of Sgt. Keicia Hines, on motion of Assembly Members Steinberg and Cox; out of respect to the memory of Betty Mae Peters Porter and Terrell Darius Sherrills, on motion of Speaker Wesson; out of respect to the memory of Chiyono Helen Ueda, on motion of Assembly Member Jerome E. Horton; out of respect to the memory of Louise Koontz Blake and Shirley Rawson, on motion of Assembly Member Houston; out of respect to the memory of Joseph James LaGrande, on motion of Assembly Member La Malfa; out of respect to the memory of Timothy J. Powers, on motion of Assembly Member Laird; out of respect to the memory of Mary Coale, Victor Eckles, and Steven Ebert, on motion of Assembly Member Matthews; out of respect to the memory of Alec Skolnick, on motion of Assembly Member Mullin; out of respect to the memory of Jessica Saal, on motion of Assembly Member Simitian; and out of respect to the memory of Page Prescott on motion of Assembly Member Berg.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 20, 2004**

The following measure was amended in the Assembly on this day:

AB RN
269 0401154

Daily Total: 1
Cumulative Total: 3119

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