

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, February 17, 2004**

**ONE HUNDRED FIFTY-FOURTH SESSION DAY**

**FOUR HUNDRED FORTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Tuesday, February 17, 2004

The Assembly met at 12 noon.

Hon. Leland Y. Yee, 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 Dutra moved a quorum call of the Assembly.

Motion carried. Time, 12:01 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 12:14 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—70:

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

**PRAYER**

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

*Lord, The purpose of our life is far greater than our own personal fulfillment. Our purpose is greater than our peace of mind or even our happiness; greater than our family, our career, or even our wildest dreams and ambitions. To understand why we were placed on this planet, Lord, we must begin with You. We were born by Your will and for Your purpose. Keep us in Your divine care as we conduct our business today and always.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Yee, Assembly Member Strickland 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 Codgill.

**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 Liu and Reyes.*

*On personal business, and waiving per diem: Assembly Members Calderon, Chan, Cox, and Nation.*

*Because of illness: Assembly Members Jerome E. Horton, Kehoe, and Wyland.*

*Due to travel delays: Assembly Member Samuelian.*

**EXPLANATIONS OF ABSENCE**

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

February 13, 2004

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

Dear Mr. Speaker: I am requesting permission to be excused from Session and/or Check-In Session on Tuesday, February 17th. I will be touring the CSU San Luis Obispo campus with representatives from my district office to view the campus' National Guard programs.

Any questions you may have regarding this request may be directed to my assistant, Janet Lopez, at 319-2832.

Thank you for your favorable consideration of this request.

Sincerely,

CAROL LIU, Assembly Member  
Forty-fourth District

February 13, 2004

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

Dear Mr. Speaker: I respectfully request permission to be excused from Floor Session on Tuesday, February 17, 2004. I have been working with the World Wrestling Entertainment (WWE) Superstars to bring their "Get Excited about Reading" program to Fresno. This program encourages the youth to read and to become better students. They stress the importance of positive behavior and show the students the importance of leadership. They also tell the children that much of what they see at wrestling events live and on television is acting.

This is the only date that the WWE Superstars are available to come to Fresno to visit with middle school students. Should you have any questions, feel free to contact my office at (916) 319-2031. Thank you for your attention to this request.

Sincerely,

SARAH REYES, Assembly Member  
Thirty-first District

#### COMMUNICATIONS

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

February 17, 2004

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

Dear Dotson: Please be advised that I have appointed Assemblymembers Paul Koretz and John Longville to replace Assemblymembers Wilma Chan and Christine Kehoe on the Assembly Public Employees, Retirement and Social Security Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

February 17, 2004

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

Dear Dotson: This is to advise you that I have appointed Assemblymembers John Laird and Gene Mullin to replace Assemblymembers Wilma Chan and Sarah Reyes on the Assembly Budget Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**REPORTS**

The following reports were presented by the Chief Clerk:

**Non-Motorized Transportation Facilities Report  
(Pursuant to Streets and Highway Code Section 887.4)**

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 6, 2004, referred by the Speaker to the Committee on Transportation.

**Rural Telecommunications Infrastructure Grant Program  
(Pursuant to Assembly Bill 140, Chapter 903  
Statutes of 2001)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated February 4, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Report on  
the Community Economic and Development Fund  
(Pursuant to Government Code Section 91558.5(6))**

Above transmitted report, together with letter of transmittal from Joanie Jones Kelly, Executive Director, California Industrial Development Financing Advisory Commission, dated February 4, 2004, referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

**Internal Control Certification Report  
(Pursuant to Government Code Sections 13400 through 13407)**

Above transmitted report, together with letter of transmittal from Herb K. Schultz, Acting Director, Employment Development Department, dated February 5, 2004, referred by the Speaker to the Committee on Labor and Employment.

**2002–03 Emergency Medical Fund (EMS) Reports  
(Pursuant To Health and Safety Code Section 1797.98B(a)) from:**

Tehama County Auditor-Controller, Robert J. Mieske, Auditor/Controller, dated February 4, 2004;

Sacramento County, Department of Health and Human Services, Aron Brewer, Manager, Fiscal Services, dated February 5, 2004;

Plumas County and Butte County, Dottie Alves, Project/Accounting Manager, Northern California EMS, INC., dated February 10, 2004;

Imperial County, Public Health Department, John Pritting, Manager, EMS Agency, dated February 10, 2004.

Referred by the Speaker to the Committee on Health.

**Certified Disabled Veteran Business Enterprise (DVBE)  
Small Business Contracting Activity and/or Race, Ethnicity, and  
Gender Business Ownership Reports from:**

Department of Fair Employment and Housing, Jill C. Peterson, Interim Director, dated February 5, 2004;

California Coastal Commission, Lane Yee, Chief, Administrative Services, dated February 10, 2004.

Referred by the Speaker to the Committee on Utilities and Commerce.

**SPECIAL COMMITTEE MEETINGS**

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

Veterans Affairs, on Tuesday, February 17, 2004, in the Tom Bane Rules Committee Room, upon adjournment of Floor session.

**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. 806 for hearing in the Committee on Public Employees, Retirement and Social Security, upon adjournment of Floor session today.

**CONSIDERATION OF DAILY FILE****UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1087 (Frommer)**—An act to amend Section 1246 of the Business and Professions Code, relating to venipuncture, and declaring the urgency thereof, of 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.

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, 12:18 p.m.

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

**MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until Friday, February 20, 2004.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1786 (Cogdill)**—An act to add Section 1228.6 to the Government Code, relating to public officers, 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—68**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—68**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 1108 (Bermudez)**—An act to add and repeal Section 3041.5 of the Family Code, relating to family law, 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.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—66**

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

**NOES—None**

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
THE URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS  
TO ASSEMBLY BILL NO. 1087**

At 12:24 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.

The urgency clause to Assembly Bill No. 1087 adopted by the following vote:

**AYES—69**

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

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—69**

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

**NOES—None**

Above bill ordered enrolled.

**COMMITTEE MEETING ANNOUNCEMENTS**

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

Assembly Member Negrete McLeod announced that the Committee on Public Employees, Retirement and Social Security would meet today, upon adjournment of Veterans Affairs, in the Tom Bane Rules Committee Room.

Assembly Member Steinberg announced that the Committee on Budget would meet today, at 3 p.m., in Room 4202.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 1086 (Sher)**—An act to amend Section 1091 of the Government Code, relating to conflicts of interest, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Simitian.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—69**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—69**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**GOVERNOR'S VETO STRICKEN FROM FILE**

Assembly Member Negrete McLeod was granted unanimous consent that the Governor's veto of Assembly Bill No. 457 be stricken from file.

**ADJOURN IN MEMORY**

Assembly Member Bermudez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lamar and Ernestine Mathews, of Cerritos.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Bermudez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kelly Brown, of Norwalk.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Dutra, Lieber, and Diaz were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeanne Yoshida Honda, of San Jose/Campbell.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Levine and Laird were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald Brewster, of Northridge.

(Assembly Rule 45.5 suspended.)

**ANNOUNCEMENTS**

Speaker pro Tempore Yee announced the following session schedule:

Wednesday and Thursday, February 18–19, Check-in Session, 7 a.m.–3 p.m.;

Friday, February 20, Floor Session, 9 a.m.

**ADJOURN IN MEMORY**

Assembly Member Dutton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Kane, of Riverside.

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wilson Tressel, of Torrance; and Masaru Akutagawa, of Los Angeles.

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 Rachael Oden, of Fresno.

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 Melanie Smith, of Sacramento.

Assembly Member Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Earl Hutchinson Sr., of Los Angeles.

Assembly Member Wiggins was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Air Force Master Sgt. Jude C. Mariano, of Vallejo.

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 Charlotte Fern McKeown, 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 Bill No. 1786 and Urgency:** Chavez, Diaz, Garcia, Hancock, Haynes, Houston, Longville, Mountjoy, Oropeza, Pavley, Simitian, Strickland, and Wiggins—Aye.

**Assembly Bill No. 1108, Concurrence:** Chavez, Haynes, Houston, Oropeza, Pavley, and Strickland—Aye.

**Assembly Bill No. 1087, Urgency and Concurrence:** Chavez, Diaz, Hancock, Harman, Haynes, Houston, Longville, Oropeza, Pavley, Plescia, and Strickland—Aye.

**Senate Bill No. 1086 and Urgency:** Campbell, Chavez, Chu, Corbett, Houston, Longville, Oropeza, Pavley, and Spitzer—Aye.

**MOTION TO ADJOURN**

At 12:40 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:40 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. 2033—Nakano.** An act to add Section 328 to the Military and Veterans Code, relating to the military.

**ASSEMBLY BILL NO. 2034—Campbell.** An act to amend Section 3502.5 of the Government Code, relating to employer-employee relations.

**ASSEMBLY BILL NO. 2035—Nakano (Coauthors: Bates, Cohn, and Dutra).** An act to add Section 17592.7 to the Education Code, relating to school facilities.

**ASSEMBLY BILL NO. 2036—La Suer.** An act to amend Sections 22134.5, 24203, 24209, 24210, and 24211 of, and to add Sections 24203.4 and 24203.7 to, the Education Code, relating to state teachers' retirement.

**ASSEMBLY BILL NO. 2037—La Suer.** An act to amend Section 25658.2 of the Business and Professions Code, relating to alcoholic beverages.

**ASSEMBLY BILL NO. 2038—La Suer.** An act to amend Section 26744 of the Government Code, relating to court fees.

**ASSEMBLY BILL NO. 2039—La Suer (Coauthor: Senator Hollingsworth).** An act to amend Section 170028 of the Public Utilities Code, relating to airports.

**ASSEMBLY BILL NO. 2040—La Suer.** An act to amend Sections 13369, 15250, and 15275 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 2041—Lowenthal.** An act to add Part 2.5 (commencing with Section 1750) to Division 6 of the Harbors and Navigation Code, relating to harbors and ports.

**ASSEMBLY BILL NO. 2042—Lowenthal.** An act to add Section 1740 to the Harbors and Navigation Code, relating to ports.

**ASSEMBLY BILL NO. 2043—Lowenthal.** An act to add Section 1760 to the Harbors and Navigation Code, relating to ports.

**ASSEMBLY BILL NO. 2044—Garcia.** An act relating to taxation.

**ASSEMBLY BILL NO. 2045—Garcia.** An act relating to state militia.

**ASSEMBLY BILL NO. 2046—Garcia.** An act to add Section 8314.5 to the Government Code, relating to state computers.

**ASSEMBLY BILL NO. 2047—Dutton.** An act relating to forest practices.

**ASSEMBLY BILL NO. 2048—Nakanishi and Harman.** An act to add Section 13194.5 to the Water Code, relating to contamination.

**ASSEMBLY BILL NO. 2049—Nakanishi.** An act to add Article 4.5 (commencing with Section 123620) to Chapter 2 of Part 2 of Division 106 of the Health and Safety Code, relating to maternal and child health.

**ASSEMBLY BILL NO. 2050—Nakanishi.** An act to amend Section 60119 of the Education Code, relating to instructional materials.

**ASSEMBLY BILL NO. 2051—Nakanishi and Cogdill.** An act to amend Section 35183 of the Education Code, relating to school uniforms.

**ASSEMBLY BILL NO. 2052—Haynes.** An act to amend Sections 80, 226, 922, 1101, and 1102, and to repeal Section 923 of the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 2053—Plescica.** An act to amend Section 4114 of the Public Resources Code, relating to forest practices.

**ASSEMBLY BILL NO. 2054—Wolk.** An act to repeal Section 599 of the Food and Agricultural Code, relating to agricultural pilot projects.

**ASSEMBLY BILL NO. 2055—Wolk.** An act to amend Section 65563 of the Government Code, relating to land use.

**ASSEMBLY BILL NO. 2056—Aghazarian.** An act to amend Section 1680 of, and to add Section 1670.2 to, the Business and Professions Code, relating to dentistry.

**ASSEMBLY BILL NO. 2057—Harman.** An act to amend Sections 2021 and 2025 of the Code of Civil Procedure, relating to production of evidence.

**ASSEMBLY BILL NO. 2058—La Suer and Bermudez.** An act to amend Sections 6035 and 6040 of, and to add Sections 6041, 6042, and 6043 to, the Penal Code, relating to corrections.

**ASSEMBLY BILL NO. 2059—Maze.** An act to amend Section 4996.17 of the Business and Professions Code, relating to healing arts.

**ASSEMBLY BILL NO. 2060—Maddox.** An act to add Section 323 to the Military and Veterans Code, relating to military compensation.

**ASSEMBLY BILL NO. 2061—Haynes.** An act to add Part 33 (commencing with Section 66001) to Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2062—Nakano.** An act to add Section 1194 to the Civil Code, and to amend Sections 8201, 8201.2, and 8206 of the Government Code, relating to notaries public.

**ASSEMBLY BILL NO. 2063—Negrete McLeod.** An act relating to public resources, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2064—Goldberg.** An act relating to parks and recreation.

**ASSEMBLY BILL NO. 2065—Nakano.** An act to amend Sections 13113.5, 13131.5, and 13143.6 of, to add Sections 13108.4 and 13131.2 to, and to repeal and add Section 13113 of, the Health and Safety Code, relating to fire protection.

**ASSEMBLY BILL NO. 2066—Steinberg.** An act to amend Section 52055.55 of the Education Code, relating to schools.

**ASSEMBLY BILL NO. 2067—Harman.** An act to amend Sections 56030 and 57500 of, and to add Section 56852 to, the Government Code, relating to local government reorganization.

**ASSEMBLY BILL NO. 2068—Bogh.** An act to add Section 290.2 to the Penal Code, relating to sex offenders.

**ASSEMBLY BILL NO. 2069—Chavez.** An act to repeal Article 6 (commencing with Section 10237) of Chapter 3 of Part 1 of Division 4 of the Business and Professions Code, relating to real estate.

**ASSEMBLY BILL NO. 2070—Houston.** An act to add Sections 6377, 17053.49, and 23649 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2071—Houston.** An act to amend Section 337.15 of the Code of Civil Procedure, relating to civil actions.

**ASSEMBLY BILL NO. 2072—Wyland.** An act to amend Section 660 of, and to add and repeal Section 660.2 of, the Harbors and Navigation Code, relating to vessels.

**ASSEMBLY BILL NO. 2073—Wyland.** An act to add and repeal Section 660.1 of the Harbors and Navigation Code, relating to vessels, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2074—Runner.** An act to amend Section 4505 of the Food and Agricultural Code, relating to fairs.

**ASSEMBLY BILL NO. 2075—Benoit.** An act to amend Section 18931 of the Government Code, relating to state civil service.

**ASSEMBLY BILL NO. 2076—Dutton.** An act to add Sections 17053.49 and 23649 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2077—Cogdill.** An act relating to air pollution.

**ASSEMBLY BILL NO. 2078—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. 2079—Oropeza.** An act to add Sections 2157.1 and 2157.2 to the Elections Code, relating to voter information.

**ASSEMBLY BILL NO. 2080—Firebaugh.** An act to amend Section 11024.5 of the Education Code, relating to education.

**ASSEMBLY BILL NO. 2081—Nakano.** An act to amend Section 998 of the Code of Civil Procedure, relating to settlement offers.

**ASSEMBLY BILL NO. 2082—Ridley-Thomas.** An act to amend Section 12301.6 of the Welfare and Institutions Code, relating to in-home supportive services.

**ASSEMBLY BILL NO. 2083—Ridley-Thomas.** An act to amend the heading of Article 2.5 (commencing with Section 1716) of Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to minors.

**ASSEMBLY BILL NO. 2084—Montanez.** An act to amend Sections 4058 and 4331 of the Family Code, relating to support orders.

**ASSEMBLY BILL NO. 2085—Montanez.** An act to amend Section 369b of the Penal Code, relating to vehicles.

**ASSEMBLY BILL NO. 2086—Lieber.** An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

**ASSEMBLY BILL NO. 2087—Lieber.** An act to amend Section 1250.8 of the Health and Safety Code, and to amend Section 14105.986 of the Welfare and Institutions Code, relating to health facilities.

**ASSEMBLY BILL NO. 2088—Dutra.** An act to amend Sections 1954.51 and 1954.53 of the Civil Code, relating to residential real property.

**ASSEMBLY BILL NO. 2089—Jackson.** An act to add Section 358.5 to the Family Code, relating to marriage.

**ASSEMBLY BILL NO. 2090—Liu.** An act to amend Section 1749.5 of the Civil Code, relating to gift certificates.

**ASSEMBLY BILL NO. 2091—Longville.** An act to amend Section 87406 of the Government Code, relating to the Political Reform Act of 1974.

**ASSEMBLY BILL NO. 2092—Liu.** An act to add Section 1747.30 to the Civil Code, relating to credit to minors.

**ASSEMBLY BILL NO. 2093—Nakano.** An act to amend Section 72505 of, and to add Section 72525 to, the Public Resources Code, relating to vessels.

**ASSEMBLY BILL NO. 2094—Liu.** An act to amend Section 1748.9 of the Civil Code, relating to credit.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 25—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.

## REPORTS OF STANDING COMMITTEES

### Committee on Veterans Affairs

Date of Hearing: February 17, 2004

Mr. Speaker: Your Committee on Veterans Affairs reports:

Senate Joint Resolution No. 17

With the recommendation: Be adopted.

PARRA, Chair

Above resolution ordered to second reading.

### Committee on Public Employees, Retirement and Social Security

Date of Hearing: February 17, 2004

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 806

With the recommendation: That the Senate amendments be concurred in.

NEGRETE McLEOD, Chair

Above bill ordered to unfinished business.

### Committee on Budget

Date of Hearing: February 17, 2004

Mr. Speaker: Your Committee on Budget reports:

Senate Bill No. 1041

Senate Bill No. 1052

Senate Bill No. 1057

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

STEINBERG, Chair

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

Senate Chamber, February 17, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 97

Assembly Bill No. 971

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, February 17, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Concurrent Resolution No. 165

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, February 17, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 146

Assembly Concurrent Resolution No. 161

GREGORY P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

### ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 7 a.m., Wednesday, February 18, 2004, out of respect to the memory of Lamar and Ernestine Mathews and Kelly Brown, on motion of Assembly Member Bermudez; out of respect to the memory of Jeanne Yoshida Honda, on motion of Assembly Members Dutra, Lieber, and Diaz; out of respect to the memory of Donald Brewster, on motion of Assembly Members Levine and Laird; out of respect to the memory of Wilson Tressel and Masaru Akutagawa, on motion of Assembly Member Nakano; out of respect to the memory of Melanie Smith, on motion of Assembly Member Steinberg; out of respect to the memory of Earl Hutchinson Sr., on motion of Assembly Member Wesson; out of respect to the memory of Charlotte Fern McKeown, on motion of Assembly Member Wolk; out of respect to the memory of Air Force Master Sgt. Jude C. Mariano, on motion of Assembly Member Wiggins; out of respect to the memory of Rachael Oden, on motion of Assembly Member Runner; and out of respect to the memory of Charles Kane, on motion of Assembly Member Dutton.

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FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk